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T.R.B. *from Washington*

Senate Spectacular

★ Harry Truman once called him "an overeducated Oxford s.o.b." Joe McCarthy tried to tag him "Senator Halfbright." To the liberals he's a jerk because he's no foe of segregation. To the conservatives he's a heel because he doesn't hate the Viet Cong. Now Senate Foreign Relations Chairman J. William Fulbright is on center stage again in two separate Senate hearings. He wants FBI director J. Edgar Hoover to come up and say, yes or no, is he for the consular-exchange treaty with the USSR? (Hoover's throwing rocks at it from behind a wall.) And he's putting on his 1967 TV spectacular on "US responsibility as a great power." These hearings will inevitably gravitate to Vietnam. They could be the most educational experience of the year.

We watched Fulbright last week. Huffing, puffing warhawk Sen. Lausche (D, Ohio) angrily demanded whether the Foreign Relations Committee was operating under the rule limiting each senator to 10-minute questions. No, said Fulbright quietly. Why not? demanded Lausche, emitting even more steam. Fulbright calmly replied, "Because I so ruled. Call it 'Arrogance of Power' if you want to (the title of his new anti-Vietnam war book)." Everyone smiled and Lausche subsided.

It was Vietnam that turned Fulbright from a provoked dissenter to an opposition leader. He is a loner, was the only senator who publicly voted against appropriations for McCarthy's Nazi-style operations. Fulbright once told me that McCarthy was a "boor." This McCarthy quality may have offended his aristocratic conservatism as much as McCarthy's methods. If Fulbright is passionate about anything, it is about moderation. He is not ambitious, dislikes glad-handing, and ordinarily takes things easy. And this is the untypical Senate figure who is a national spokesman against war.

A word, first, about that consular treaty. On my desk is a circular from the Liberty Lobby. This group is part of the interconnected Far Right apparatus that collects and spends an estimated $30 million a year, largely tax exempt. The right-wing extremists are, by and large, at war with society. It is funny how little heed moderate people give to them. John Birch, Life Line, Human Events? Those crackpots? – people say with a smile. When they nominate Goldwater, or elect Reagan, people wonder how it happened.

The Liberty Lobby circulated headlines, "Consular Treaty to Allow Soviet Agents in Your City!" It's "the Johnson Administration plan to allow Soviet spy nests in American cities. . . ." Actually, the proposed treaty wouldn't open a single consulate. Without any treaty, USA-USSR consulates can be set up any time. The new treaty would, however, require the Russians to notify us if they arrested an American and would let our consul visit him. (Russia can forbid us, now.) Russian consuls would get the same right, but our tourists outnumber theirs, 20 to one. The proposed consuls and staffs would get diplomatic immunity. Mr. Hoover grouchily says this would make his work harder. His oblique opposition killed ratification in 1965 and may do so again this year. Fulbright, of course, wants ratification.

A Peace to Endure

★ The far bigger show is the foreign policy hearing, starting with witnesses George F. Kennan and Edwin O. Reischauer, the former ambassador to Japan, and including *NYTimesman* Harrison Salisbury next month. Maybe they will agree with Fulbright, maybe not, but they should get a dialogue going. Because Salisbury is a good reporter, since returning from Hanoi he has been called a dupe, a fellow-traveler, a communist, a traitor. Well, that's the penalty of doing your job.

Fulbright's own position on Vietnam is simple: stop the bombing, get a peace compromise. We can win victory, he says; we can annihilate the enemy if we want to. But that peace won't last – ultimately Asians will push us out. A compromise peace, he thinks, would endure.

Welfare Crossroads

★ A new thought broke in on us last week, what with all the budget, economic and social security messages.

The new idea went beyond them. We don't think any President in our day is going to propose (or Congress vote) a guaranteed minimum income for all poor people. But we see something else like it already started. Other countries have traveled the same route; they begin with social security strictly on self-financing lines (part contributions from workers, part from management) and directed at a restricted segment like those over 65. Then coverage is extended more and more. Then the proposed contributions get higher. Then the government begins to pay part of the cost, as the US did in 1965, when it launched Medicare.

Mr. Johnson's proposal to extend social security by 20 percent will put a big, new burden eventually on workers and small businessmen who contribute. He says he will keep the plan "actuarially sound." Well, maybe. But we suspect social security stands at the crossroads now, between a self-financing insurance system and a partial welfare system financed from general revenues.

To us this evolution seems likely. And it will take care of the suggested "guaranteed income" idea without the national embarrassment of ever facing the step directly. Presidents will go on saying it must be "actuarially sound" and the public will go on demanding greater federal welfare outlays for the young, the sick, the hard-lucks, and ultimately the two lines will merge.

Who pays for it? The economy is increasing four percent a year. The three greatest miracles on earth are photosynthesis, biological reproduction and compound interest. We could pay for it now without Vietnam; 10 years from now we could have both. Only question is how the pie is sliced.

Wet your thumb, folks. A breeze is rising.

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The Hard Choice

"I have weighed the alternatives and made the hard choices," said the President in his Budget Message. The choice is for guns instead of the Great Society, which is not so much deferred as remodeled into something called "creative federalism." It means, in theory, letting the states make the Great Society with funds channeled back to them from Washington, thus escaping the perils of top-heavy bureaucracy. It may mean something very different in practice. For instance, will the states, with no pressure other than the spur of returned tax money, proceed energetically to raise what the President's Economic Report trounces as their "unrealistic, miserably low" standards of need for public assistance? Have their conspicuous failures hitherto been caused by lack of taxable resources or lack of will? If the latter, "creative federalism" will turn out to be bottled snake oil, especially as the federal contribution to this new partnership is almost certainly going to be badly crimped anyway by this Congress. The $169.2 billion Budget (actually $135 billion) has provoked the expected clamor for cuts. The President has already "deferred or reduced" spending a full $3 billion below the levels the 89th Congress authorized. As he put it last year, "a compassionate government need not be a profligate government" – except when it comes to Vietnam.

On the basis of his 1967-68 administrative budget, more familiar than the new "national income accounts" version, Mr. Johnson predicts an $8.1 billion deficit. Without his proposed six percent war surcharge, the anticipated deficit would be $12.6 billion; without the somewhat fishy device of sales of "participation certificates" in government loans, it might be as high as $17.9 billion. Budget deficits even as large as that aren't necessarily alarming, but what is the country promised in return? Not even lower unemployment, which at 3.9 percent is to stay at the 1966 level, even though in 1967 more than 300,000 extra men will be out of the labor market and in the armed forces. This year's report of the Council of Economic Advisers has the trickiest opening paragraph ever. It says: "The United States in 1966 enjoyed the benefits of the fullest employment in more than a decade. The unemployment rate reached a 13-year low of 3.9 percent. At that level, demand finally matched supply in most labor markets, a situation which economists define as essentially 'full employment'." Odd how other countries' economists define tolerable unemployment as three or even two percent, and manage to keep it down to that. The President's advisers are dubious about the practi-

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cality of the six percent surcharge, pointing out in their report that "now there is a renewed challenge to sustain expansion; any further slowdown would be undesirable." One way to counter the danger would be to spend more at home on welfare; but the hard choice was made to spend instead on Vietnam.

Between this July 1 and June 30 of next year, spending on Vietnam is estimated at $22.4 billion, if $500 million of aid is included. This makes the cost of the war since mid-1964 total more than $47 billion – enough to give each and every family in South Vietnam a present of $10,000, far more than they would need to become landlords and so outdo the Viet Cong goal of total land reform. The hard choice we have made instead is to raze villages and resettle uprooted peasants in camps.

Yet Vietnam costs are less than a third of total defense spending planned for the 12 months beginning this July 1. A whopping $50.4 billion, up $2.9 billion from the last budget, will be devoted to potentially much bigger bangs than Vietnam. For instance, $1.1 billion of the $2.9 billion increase is for new, more powerful missiles for nuclear submarines. Other new hardware will include Minuteman missiles, strategic bombers, amphibious assault craft, a nuclear frigate. There will be correlated increases in administration and in manpower (the country now has 3,334,000 men in uniform, but this is still judged too little). Pending the outcome of current talks with Russia, Mr. Johnson will not proceed to produce and deploy an antimissile system; if the Russians are uncooperative, he probably will, so meantime "intensive development" of Nike-X continues. However, any missile defense this country may decide to deploy will not be for the purpose of defending people in cities, but for defending our own offensive missile sites against missile attack. This calls for no "massive" fallout shelter program and is thus a lot cheaper to build than one that does; a mere $4 billion or $5 billion as against $40 billion.

Another military item that is to cost more is a manned orbiting laboratory, up by $102 million, to $430 million. Compare this with the anticipated total spending on *all* public housing in the country, stated in the Budget as $282 million. Total spending on military items for outer space is also up and is close now to $2 billion. The civilian space agency's budget, though shaved somewhat, is $5.3 billion, for lengthy orbits leading to putting a man on the moon, and for unmanned exploration of Mars and Venus next year.

Meanwhile, back on earth, the President proposes devoting "two-thirds of one percent of our national income" to foreign aid including food shipments. This is "about the same as the average of" all the other developed countries. We're not more generous than them, we're just richer. But how much richer! In his economic report to Congress last year, Mr. Johnson boasted: "In only seven other countries . . . is total output in a year as large as the increase in our output annually." According to this year's report, our annual increase is averaging $44 billion. That's almost enough to pay for rebuilding all the slums; a quarter of it if properly spent could end poverty for 32 million Americans. The choice is otherwise. The Budget, with help from financial gimmickry, proposes a $1.9 billion increase in spending on Great Society programs: education, health, housing, economic opportunity, air pollution. Military space gets more. There is a budgetary *decrease* of $500 million on education programs, though this is skillfully transformed into a $600 million increase in "gross outlays" on education; the explanation given is that the impact on the Budget is muffled by "sale of participations in education loan programs," meaning that it is hoped investors will come to the rescue, bringing cash to the Treasury by buying shares in government loans to colleges. Nevertheless, what the Budget allots to education is $2.8 billion, which is $500 million less than was allotted last year. The President proposes a 20 percent overall increase in Social Security benefits, which will cost about $4 billion a year from payroll taxes. Spending on health will be $4.8 billion or $8 billion, depending on which part of the Budget you read. Housing and community development rate only $1 billion, which is half the proposed spending on military space, less than a fifth the allocation to NASA and about four percent of the new estimated annual cost of Vietnam.

Yet the Budget Message solemnly proclaims that in the same 12-month period, "increased emphasis will be placed on strengthening or coordinating programs to upgrade our urban areas – areas which contain more than 70 percent of our population." Mr. Johnson has appointed a commission under the chairmanship of Paul Douglas to "recommend ways to increase the supply of low-cost housing." He says the country has need of two million new houses every year for the next decade. Professor Douglas is a very wise man but what's needed even more than wisdom is more federal money and credit, the necessary straw for the unlaid bricks. Actual housing starts are now averaging only a million units a year.

What the Budget tells is that federal spending on domestic programs is probably now on a downward path although the national income continues to soar. Mr. Johnson gave welfare the first push downhill by cutting the budgetary provision for antipoverty spending in the current fiscal year to $1.6 billion, more than $30 million below what Congress appropriated; now Congress seems sure to demand, and get, still further cuts. This is what comes of the hard choice of guns over welfare.

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Clearing It with Hoover

The "FBI is not a policy-making agency and we do not express opinions," J. Edgar Hoover wrote his pen-pal Karl Mundt last week, explaining why he could not openly oppose ratification of the US-Soviet consular convention. Any opinion on the subject, Mr. Hoover wrote, would have to come from the Justice Department. This was something of a new tack for the FBI chief, whose opinions have been making news for nearly 43 years and whose felt opposition has delayed Senate ratification for 32 months, despite a 19-5 Foreign Relations Committee vote in 1965 to approve the convention. The treaty, said the committee minority at that time, will "open the way to espionage and other forms of subversion on the part of Soviet consular personnel" who will not be "liable to prosecution but only to expulsion." Since expulsion is far easier than legal prosecution and conviction, that does not seem a weighty argument.

The treaty would result in perhaps 10 or 15 more Russians coming to the United States, which bothers Mr. Hoover, since "the great bulk" of Soviet official personnel are engaged in intelligence activity "in one way or another"; the more Russians, the more work for the FBI. Not being able to put spying Russians in American jails would, he feels, encourage the Soviet Union's illicit activities.

But as Undersecretary of State Nicholas Katzenbach told the Foreign Relations Committee, the advantages and disadvantages are reciprocal. We spy, too. The additional American officials in the Soviet would place an added burden on *their* FBI. And, anyway, Mr. Hoover himself assures us that the FBI is adequate to the task of spotting spies. In his letter to Senator Mundt, this January, Mr. Hoover said he never intended to suggest that the "consular convention would impose any additional burdens of responsibility upon the FBI that we are incapable of handling." He might have added that as long as there are going to be foreign spies in the US, it is better to have them in official positions where they can be more handily identified.

None of our other consular treaties provides for immunity from criminal action for all consular employees, as does the proposed convention with the Soviet Union. Ordinarily, this privilege has been reserved for embassy officials, UN representatives and others strictly defined as diplomats. From past experience, however, we know that the Russians are likely to reciprocate every arrest with an arrest of their own. The usual outcome is an exchange of prisoners. The punishment rarely fits the crime, and international tensions and the dangers of inflammatory incidents are increased. Thirty-one Americans with diplomatic immunity have been expelled from the Soviet Union on spy charges since 1946; neither the US government nor the diplomats would be better off had the 31 been put in Russian prisons instead.

Senator Mundt has called the treaty a "masterpiece of bad timing . . . while there is a war in Vietnam." On the contrary, it is a miracle of timing, a minor acknowledgement that despite the war in Asia, neither we nor the Russians despair of peaceful coexistence.

The number of Russians traveling in the US has been remarkably steady from year to year, hovering around 900, but more and more Americans are going to Russia – 12,000 in 1964 and 18,000 last year. When direct flights to the Soviet Union start this spring the number is likely to increase; so is the problem of getting in touch with those few who get themselves arrested or detained. The consular convention would provide that American officials be notified within three days of an arrest and be allowed to see the prisoner within four more days and regularly thereafter.

As TRB reminds us, some opponents of the convention think it provides for the setting up of consulates. It doesn't. The President, under the Constitution, can do this without a treaty. What the convention does basically is protect American consulate employees from Soviet imprisonment. Four-hundred-fifty-two Soviet diplomats in the US already have diplomatic immunity, and the Republic will not tremble if a dozen or so more are added to the list. The risks, Mr. Rusk insists, are "small and controllable." And with that J. Edgar Hoover has said he agrees.

Ribicoff's Slum Plan

Following a lengthy hearing on city problems, Senator Abraham Ribicoff (D, Conn.) has recommended that Congress approve a series of programs aimed at rebuilding the slums. The most interesting of these is his proposal to bring private enterprise into the rehabilitation business. Ribicoff suggests corporations be got in by having the government underwrite part of the interest rate and guarantee the loans made to concerns willing to chance investment in depressed areas. He also is interested in reinvigorating local government and recommends that one way to do this is by financing neighborhood development corporations of the sort that have been set up in Columbus, Ohio, and more recently by Senator Robert Kennedy in the Bedford-Stuyvesant section of Brooklyn.

The need in all this is to make sure that neighborhood people have a major say in shaping the development of their community. Industry in America has used the slums as a source of cheap labor. The trick, which Mr. Ribicoff thinks can be pulled off, is to devise ways in which the nearly powerless poor can hire the corporations to develop the slums on *their* terms. This

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is not yet a popular idea, as the antipoverty war's community action section has shown, but it is basic to changing life in the slums for the better.

Forever Filibuster

Richard Nixon wasn't there the other day when the United States Senate again pledged its allegiance to "King Filibuster," but his views on that subject when he was Vice President proved far too radical in 1967 – not only for the majority of his own party but for the Senate Democrats as well. Never did so many seem so determined to give so much power to so few.

Throughout the first half of this century, the Senate rule permitting filibusters by requiring two-thirds to close debate was the gravedigger for much legislation and the shredder of more. The rule was self-perpetuating – all the minority had to do was filibuster any change in the rule. Then in the 1950s, Democratic Senators Paul Douglas, Hubert Humphrey and Wayne Morse espoused the idea (first proposed by Senator Tom Walsh in 1917) that at the opening of a new Congress the majority of the Senate could determine its rules for that Congress, unfettered by any restrictions adopted by earlier Congresses. Vice President Nixon advised the Senate in 1957 that this was his view as well. When the 1958 Democratic landslide brought in a number of new senators who opposed the filibuster, hopes ran high that the new majority, with Vice President Nixon in the chair, would end talkathons. But the hopefuls reckoned without Majority Leader Lyndon Johnson and Senate Democratic Secretary Bobby Baker. The choicer committee assignments for the new Democrats went to those who promised to behave; the anti-filibuster majority melted like ice in the tropics.

The scene shifts to the opening of this 90th Congress. The Vice President is Hubert Humphrey, who assured the anti-filibuster forces (50 senators definitely and a few more possibly) that there would be a Senate vote on the right of a majority at the opening of a new Congress to get to a vote on the filibuster rule. Up rose Sen. George McGovern (D, S.Dak.), who moved to close debate by majority vote on his motion to take up a change in rules. Point of order, said Minority Leader Dirksen: the Senate is bound by rules adopted long ago that bar a majority from so acting. Vice President Humphrey did his part; he ruled that if the Dirksen point of order was tabled, he would treat the tabling as a decision by the Senate against Dirksen, and the majority of the Senate could close debate. All that was needed now was a majority to table.

Then the axe fell. The Majority Leader, Mike Mansfield, passionately denounced this effort to change the rules as "a path of destruction to the Senate as an institution. Majority rule," he agreed, "is basic and vital to our democracy," but anybody who votes for it here is contending that "the Senate should be destroyed." The Majority Whip, Russell Long, and the Majority Secretary, Robert C. Byrd, backed him up – though in every platform since 1952, the Democrats have been committed to majority rule in the Senate. Mr. Dirksen, too, detected something "dangerous for free institutions," though he intimated that he would support an effort to end debate through the regular two-thirds procedure (later Dirksen announced that he only meant that he would sign a cloture petition, not that he would *vote* to close debate). In the cloakrooms the Southerners were threatening civil disobedience: they would keep right on talking even if the Vice President, after adoption of the motion to table, actually put the motion to close debate to the Senate for a vote.

Others defended the filibuster as the protector of the rights of less populous states, overlooking the fact that the makeup of the Senate – with Nevada having as many votes as California – already favors the small states. Whether it was Mansfield's passion, Dirksen's evanescent carrot, the Southerners' threat, or the small state argument, six Democrats and seven Republicans reneged on their pledges. The final vote was 59 to 37 to sustain Dirksen's point of order that a majority of the Senate can't stop talk.

Possibly the saddest performer was new Republican Senator Charles Percy. He had announced on January 6 that "he agreed with former Vice President Nixon that a new Senate can adopt fresh rules." As he cast his vote that a new Senate *cannot* adopt fresh rules, Percy chalked up the shortest rebellion against the Senate establishment in history. Senator Edward Brooke, who had made no public pronouncement, quietly voted contrary to Percy.

Senator Joseph Clark stepped into Paul Douglas' shoes and directed the anti-filibuster battle, seconded by Senator McGovern, substituting for the ailing Clinton Anderson. Republican Senators Kuchel, Javits, Case, Morton and Hatfield admirably held fast against the entreaties of their leader. JOSEPH L. RAUH JR.

What Reagan Hath Wrought

San Francisco

Californians voted for Goldwater government last fall and that's what they're getting. But the script read better than the production. During his first weeks in office Ronald Reagan has shown that he meant every word of his campaign rhetoric. He's determined to cut back state spending, regardless of an increasing popu-

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lation and rising demands for state services. And the University of California is not to be excepted.

The state was shocked by the abrupt dismissal of university president Clark Kerr by the Board of Regents, but there should not have been such surprise. Kerr was a prime target of the governor's campaign last year. Reagan pointedly excluded Kerr from a discussion of university finances a week after the governor had taken office.

Regents serve for 16 years, and the long terms are supposed to insulate them from politics. But regents too read the election returns, and Kerr's time had been running out. Ever since the all-night sit-in organized by Mario Savio's Free Speech Movement in December 1964, only the grace of Pat Brown had kept Kerr in office. In March 1965, Brown persuaded the regents to refuse to accept Kerr's resignation.

When Reagan took office he not only became a member of the board; so did his lieutenant governor, Robert H. Finch, and Allen Grant, the Reagan-appointed president of the state board of agriculture. They replaced three pro-Kerr men and, with some wavering regents moving to the anti-Kerr side in the wake of Reagan's landslide in November, there were enough votes to bounce the president.

Reagan said that he had not instigated the dismissal; indeed, he maintained that he felt the timing was bad. But if Reagan disliked the timing he failed to raise his voice in opposition to it at the secret regents' meeting which did the deed. Reagan also denied that politics had motivated the regents. But his conciliatory words about politics and timing as well as his statements about leaning toward the selection of a scholar rather than an administrator to succeed Kerr did not reassure the Berkeley faculty. On the afternoon of the morning Reagan held his press conference, the Berkeley faculty met in the student union to assess the future of the embattled university. It was neither divided nor in a mood to be talked into sweet reasonableness by Chancellor Roger A. Heyns or by a prestigious committee which had drafted a resolution aptly described as "academic oatmeal" by Professor Thomas Parkinson.

The faculty debate was piped by loudspeaker to students sprawled in the lounge below and standing outside in Sproul Plaza. Every decision to throw out the oatmeal was lustily cheered by the students. The faculty demanded that their advice and consent be secured before a new president is appointed and declared that Kerr's dismissal was "reckless and precipitate." Said the faculty further in a resolution adopted by an overwhelming vote: "Coming immediately after a period of intense political controversy over the university, coupled with the demands for drastic budget cuts and for tuition charges, this action constitutes destructive political intervention in the affairs of the university." No Berkeley teacher had a word to say for Reagan, for the regents or for the abrupt way in which Kerr was dismissed. (However, the UCLA Chancellor, no mean political operator, blamed not the Governor or the regents, but the troublemakers at Berkeley – the "extremists.") It was as if Reagan and the regents had deliberately set out to unify a faculty and campus that had been badly divided over the Free Speech Movement and the amount of freedom that should be accorded students.

Kerr had been planning to resign later this year to accept a job with the Carnegie Corporation surveying the future of higher education in the United States. But his dismissal less than three weeks after Reagan took office has plunged the university further into politics. Now it faces a crisis of confidence. The university seems to be in for the kind of political in-fighting that all but destroyed Louisiana State University when Huey P. Long was governor.

Is Reagan asking for trouble or merely stumbling into it? He is certainly making good on his promises by proposing an across-the-board 10 percent reduction in state expenditures, by suggesting that state residents pay tuition to attend the university for the first time since it was founded 99 years ago, by seeking new obscenity legislation and by trying to cut relief ex-

"I didn't realize Ronnie Reagan was with us . . ."

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penditures by putting persons on the dole to work. Like all the Goldwater Republicans who engineered his spectacular entry into public life last year, Reagan is keeping his eye on the dollar sign to the exclusion of practically all other values in a state that has prided itself on meeting human needs.

California's budget of $4.6 billion either must be reduced or taxes must be increased if the balance required by the state constitution is to be achieved. The prospective deficit is about $400 million. During the campaign Reagan committed himself to reducing property taxes; so he has decided to balance the budget by cutting back state programs.

Many political leaders, Democrats and Republicans, believe that Reagan has seriously misread the state's mood. All last year the polls showed that student unrest at the university was of prime concern to voters who wanted firmer administrative control over students and their activities. A firm hand is one thing; a reduced budget coupled with tuition are something else again, for they threaten the hopes and aspirations that millions of Californians have for their own children.

JULIUS DUSCHA

John Conyers of Detroit

Successor to Adam Powell?

Congressman John Conyers Jr., a young and militant Negro Democrat from Detroit, is out to become the black spokesman in Congress. It's a bit of irony that he has been given a big shove toward his goal by being named to the special House committee which will judge Adam Clayton Powell.

This might seem a dangerous position for Conyers, whose district is largely Negro. He accepted the committee assignment without hesitation, however, because he is under no illusions about the outcome. Although the committee will do its work with studied judiciousness, its decision and the decision of the House will be political. Conyers expects to make the most of it, which means he hopes to succeed Powell as a representative of Negroes.

Having read the report of Congressman Wayne Hays, having talked with Powell, and having listened in the caucus and the House to the evidence against Powell, Conyers is satisfied little or nothing new will be turned up in the next month. And during that time he expects Powell to put up a defense and perhaps cleanse himself of court judgments. If, in spite of this, the committee votes to deny Powell his seat, Conyers will certainly dissent – and he'll make it strong. If the committee recommends Powell be seated, Conyers can take part of the credit. And he may go on to fight to restore Powell to the chairman of Education and Labor.

Conyers is realistic enough to know that whatever he or the committee does, Powell is done for as an influence in the House. Nor does he believe that Powell has the depth and staying power to mobilize Negroes in the streets, and to patiently wage a campaign to regain his status in Congress. But Conyers intends nevertheless to emerge as a spokesman, not for Powell primarily, but for Powell's constituency.

Conyers has jumped at the chance to do this for precisely the same reason the House leadership chose him for the special committee: Compared to the four other, more senior, Negroes in the House, Conyers has far more flair and ability – and more credibility among Negroes.

In addition to being rather light in color, the other Negroes in the House, have been rather light in weight. Chicago's William L. Dawson, in his 13th term, is an old-fashioned Kingfish sort, the boss of a ghetto political machine; Los Angeles' Gus Hawkins, in his third term, is rarely heard from although he was elected to speak for Watts; Detroit's Charles Diggs, an undertaker by profession, now in his seventh term, has no taste for rocking boats; and Philadelphia's Robert Nix, in his sixth term, considers his seat a reward for 30 years' service as a ward leader.

Dark, handsome, smooth and flashy, Conyers, who will soon be 38, is a sophomore openly on the make. Some of his more senior Democratic colleagues from Michigan do not like this. Such ambition, especially from a Negro, ought to be more humbly attired.

In 1964, when his district was created out of reapportionment struggles, Conyers, a former civil rights and ACLU attorney, entered the Democratic primary and challenged the candidate of the party establishment. In his district that meant the United Auto Workers and its Negro officials. Michigan's first congressional district, in Detroit, is the pilot source of Walter Reuther's strength among Negroes everywhere in the nation. Virtually all his union's Negro leadership lives in the district; more UAW officials live in that district than in any other; and most of its 230,000 Democratic voters are Negroes who at one time or another were in the UAW.

Shrewdly, Conyers used a purely personal power struggle between two UAW leaders, Horace Sheffield, a Negro international representative, and Nelson Jack Edwards, the only Negro on the UAW executive board, to split the union influence. Edwards supported Conyers, and so did militant young Negroes, and the more leftist civil rights and political groups. Conyers won by a few dozen votes, probably because the papers, which would have opposed him, were shut by a strike.

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When he came to Washington he hired as his assistant, a bright, white liberal just out of Harvard, and they went to work cultivating for Conyers a national image among Negroes. In the last two years he has spoken before every Negro trade, professional, academic and civil rights organization. He became popular at Negro and white colleges, went South for demonstrations, and nagged the Justice Department for stronger enforcement of civil rights laws.

His voting record has been to the left of the administration. He refused to support an amendment weakening the housing section of the civil rights bill, and he has consistently spoken publicly against the Vietnam war and has voted against war appropriations. In a speech at a Chicago testimonial to Hans Morgenthau, Conyers suggested an alliance between the civil rights and peace movements. And last year, when the first chinks appeared in Adam Powell's armor, Conyers sought help to establish a permanent group of liberal congressmen and civil rights leaders to make respectable, and direct the energies of, black power.

From all this, it might appear that Conyers is simply a Don Quixote from a safe district. This is not so, for his district, with its array of Negro unionists and white (mostly Jewish) professionals wise in the ways of leadership, Conyers can always find himself in trouble come primary time. Besides, Conyers has still not discarded lurking ambitions to become the first Negro mayor of a large city. He rarely makes militant speeches when he's home. Nor does he get too deeply involved in the black pressure on city hall and Detroit's white leadership. And in the primaries last year, he disappointed the peace movement when he urged his district to support Senate candidate G. Mennen Williams, who backed the Johnson administration on Vietnam.

Although Conyers is, therefore, a committed liberal when he can be, he is a smart pragmatist when he must be. But always he aims at what he believes is the goal of black power – to lead a Negro electorate taken for granted by no one. Now since Negroes in Detroit (as elsewhere) have been taken for granted by white liberalism and the Democratic Party, and since the United Auto Workers is the single greatest influence among them, this puts Conyers at odds with the UAW. And the hostility shows.

During the general election campaign in Detroit, the UAW – with Reuther's approval – denied an endorsement to Negro attorney George Crockett, running for a local judgeship. Crockett was an old Reuther antagonist, and an attorney for the national communist leaders accused under the Smith Act. And Crockett was Conyers' friend and supporter.

The UAW men in Conyers' district packed the organization's meeting one night and rammed through a resolution endorsing a Republican on the nonpartisan slate of judgeship candidates, instead of Crockett. It was whispered about that the reason was that Crockett might be a communist, and the public reason was that Negroes had to give whites, even Republicans, support if they wanted votes from white districts for other Negro candidates.

Conyers defied the vote of his district organization and publicly supported Crockett. Angry Negroes – many of them unionists – said they were tired of always giving 100 percent support to Reuther-endorsed slates, and getting little in return for Negro candidates from whites who are in the UAW. Conyers partisans began to complain bitterly that the only Negro candidates they could elect citywide were those approved by the white power structure and the UAW.

Fortunately for Conyers, there was a large field running for the judgeships. Reuther's opposition created a black backlash, and a unified Negro vote gave Crockett – and Conyers – an important victory. For the second time – Conyers' election was the first – Reuther had taken a beating from Negroes in his home town.

Before the election Conyers had begun the First District Club as a rival organization to the official party club, which is controlled by UAW people. The Crockett election has stimulated the drive for membership in the First District Club, which all but excludes UAW loyalists from its leadership, and in coming months Conyers hopes to use it to wrest control of the official party organization away from the union.

His effort, Conyers says, is based on principle. Negroes have been used too long and now must go their own way. Conyers believes Walter Reuther has backed away from the civil rights movement – because he considers it is getting extreme, because he feels a backlash from rank-and-file auto workers (who are none too liberal), and because he must now occupy himself with coming contract negotiations and the battle with George Meany.

Conyers insists he wants no fight with Walter Reuther. He only wants recognition that after 30 years or so, labor has given up its place in the vanguard of the liberal reform movement. Now, in cities like Detroit, where the destiny of Negroes is tied closely with the reform of the cities, black people and their black leaders must be in the vanguard.

There is no sign Reuther is worried, although he has revamped the group of UAW emissaries who try to keep peace in the first district. Characteristically, the emissaries approach Conyers to make peace on the grounds that he – like them – is an opportunist.

To which a Conyers adviser responds: "We won't make peace so easily. Conyers may be an opportunist, alright, but he's *our* opportunist."

Saul Friedman

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Stalemate in Chile

For two years the Chilean Senate has tied knots in President Eduardo Frei's legislative program. Last week it shackled Frei himself. An archaic law – enacted in the sailing ship era when chief executives enjoyed prolonged European vacations – requires Senate approval of presidential trips abroad. By a 23-to-15 vote, the senators turned thumbs down on Frei's *pro forma* request to visit the United States.

At first blush the rebuff appeared rooted in anti-Yankeeism. The fat-cat Nationals and Radicals, who command 16 "nays" in the 45-seat upper house, abhor Chile's commitment to the Alliance for Progress. One right-winger recently accosted US Ambassador Ralph Dungan with the barb: "This country is being led to social chaos and you are to blame." At the same time, the Socialist-Communist Popular Action Front, which holds 12 Senate votes, has villified Frei as a "tool of State Department imperialism."

Below the surface lies the real cause of senatorial hostility: terror of change. Since independence in 1810, the Right has ruled Chile like a medieval fiefdom. Early in the 20th century the landholder-industrialist power elite admitted the middle class to its privileged ranks and averted class conflict. Now Frei's Christian Democratic Party (PDC) has come along demanding – and promoting – reforms in taxation, housing, banking and education. Ironically, the Communists and Socialists don't like it. Bristling indictments of "bourgeois governments" are their stock and trade. Success of Frei's promised "revolution in freedom" would capsize their claim as populist champions.

Frei has already implemented a number of his 1964 election pledges. Decree 2,167, signed last October, initiated the *Chileanization* of copper, designed to double output and assure partial state ownership of the industry; *Promoción Popular*, Chile's war on poverty, has spurred grass-roots organization and decision-making; education has been pushed at an unprecedented rate; and Frei has renounced AID and IMF loans so that Chile "can stand on its own feet. . . ." In addition, the Christian Democrats have restrained Chile's vertiginous inflation, constructed 135,000 housing units, replaced the mid-day *siesta* with a "single workday," gained a $160 million balance of payments surplus, and secured a 7.3 percent rise in GNP.

Land reform remains the pivotal issue in Chile, where 1.5 percent of the owners hold 70 percent of the usable acreage, and agricultural imports devour $150 million in foreign exchange annually. Frei's bill sailed through the PDC-dominated Chamber of Deputies. But the Senate, only partially renewed in the 1965 congressional contests, has answered Frei's plea for action with reaction: first the Christian Democratic president of the Senate was ousted from office; now Frei's flight to Washington has been grounded.

The 56-year-old president must, therefore, choose among three alternatives to attain his land reform goals of agricultural self-sufficiency and 100,000 new landowners by 1970: "wait and see," pork-barrel politics, or extraconstitutional measures.

Some feel that Frei should go slow until 1969. Then the entire lower house and 25 senators will stand for election, and the president could once more carry his program to the people. Can Frei afford to wait? Probably not. His public opinion rating – 80 percent approval in 1965 – has tumbled; jeers greet his newsreel appearance on Santiago movie screens.

A second alternative is to hand out plums to the opposition – notably the patronage-hungry Radicals – in exchange for Senate backing. But the messianic Christian Democrats are determined to install a "new society" in Chile. Consequently, they have shunned parliamentary pacts and refused to invite opposition members into the cabinet. A return to "petty politics," they argue, would only blunt their program and blur their image with the masses.

If the Senate remains intractable, Frei could dissolve Congress and hold a plebiscite to solicit public approval on the plebiscitary process, land reform and other pending legislation. But there is no constitutional provision for such a step, and Chileans, who have had only two constitutions since 1833, pride themselves on respect for law. Nevertheless, many Christian Democrats argue that rigid constitutionalism is a sham, perpetuated by the power structure to prevent social and economic democracy. When two-thirds of the population live as rag-pickers in fetid slums, what good is a constitution? Frei has stated that: "In this country the political parties and the opposition enjoy the right to criticize and express their judgment *vis-à-vis* the government, but they do not have the right permanently to frustrate the government's will, because in so doing they make it impossible to fulfill the desire of the people expressed in elections."

Frei will postpone his decision until after April 2, when Chileans elect their 1,629 municipal councilmen. The voting will not affect Congress directly, but a thumping PDC victory would strengthen Frei's hand. It could also induce the opposition, fearful of another defeat in 1969, to break the legislative logjam. Otherwise, Frei will consider the plebiscite as a means of converting Chile to a *working* democracy.

GEORGE W. GRAYSON JR.

MR. GRAYSON *has made two extensive visits to Chile recently. He teaches at Mary Washington College (Virginia) and lectures on Latin American politics at George Washington University.*

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The Compromise Report on Crime

The National Crime Commission has gone into a collective swoon, for reasons that tell much about its makeup and mission, each time a story is written about the fruits of the secret deliberations it has conducted over the past 18 months. Disclosures about internal disputes over wiretapping and bugging and the mention in print of the two words "police corruption" have caused much pain. One of the 19 commissioners went so far recently as to propose a secrecy oath to seal an informal agreement the group had made not to talk outside the conference room. One might suppose that the commissioners' yen for "the right to be let alone" stemmed from a sense of duty to President Johnson, who appointed them to give him advice about crime, and a lively sense among more politically oriented members that LBJ likes to be the first to know what one of his bureaus is up to.

In fairness, however, secrecy has served quite a different need, albeit imperfectly. The need was for consensus among individuals each of whom represents a constituency in American public life. They were chosen cross-sectionally the way the Warren Commission was chosen and partly for the same purpose: to calm the country down. Another purpose, and a major one, was to summon prestige behind the crime war when LBJ was ready to take the offensive with a program of his own. The commission is overset with lawyers and has no admitted philosophers, but it has managed to represent as many interest groups as could be squeezed into a medium-sized conference room.

There is a civil rights leader (Whitney Young) and a police chief (Thomas Cahill of San Francisco), a lady lawyer (Genevieve Blatt) and a lady non-lawyer (Mrs. Robert J. Stuart of the League of Women Voters), a "humane" prosecutor (Thomas Lynch of California) and a "tougher" one (Garrett Byrne of Boston), a publisher (Otis Chandler), a university president (Kingman Brewster), a law professor (Herbert Wechsler), a state judge, two federal judges (one a Negro), former Mayor Wagner, former Attorney General Rogers, and past American Bar Association presidents. A very few were complete innocents in the crime controversy, but most came to the commission heavily freighted with experience and commitments. It was not a young commission and apparently nobody in authority expected the commissioners themselves to take an especially "fresh" look at crime.

Secrecy also has helped the commission's chairman, Undersecretary of State Nicholas deB. Katzenbach, and its executive director, James Vorenberg, steer the members away from the unproductive debate over whether, as the Goldwater types allege, "court decisions cause crime." Vorenberg needed no prompting to stay out of this thicket. He had been chief draftsman of the American Law Institute's proposed model prearraignment code, an attempt to show the courts that broader police powers to question suspects were constitutionally workable. The ALI talked the draft to death last spring and the Supreme Court's *Miranda* decision demolished it. If the commission had met publicly, Katzenbach probably would not have been able to avoid the issue without much posturing by members and splitting the commission along ideological lines.

Undue public fuss about bugging is another sort of thing that can ruin a dandy consensus. Ramsey Clark, the acting attorney general, told the commission in November that bugging was one of those "red flag items" that gets people mad and diverts attention from root solutions to the crime problem. Clark and Chairman Katzenbach knew then that there was very little the commission could tell LBJ about tapping and bugging; he hates it and he wants Congress to make most of it even more illegal than it is now. They knew then, but most of the commissioners did not know, that the Justice Department was tracking through its criminal docket to purge it of prosecutions tainted through eavesdropping-by-trespass. But bugging is an issue that is hard to dispose of cleanly once it reaches the floor. How Katzenbach and Vorenberg, another anti-eavesdrop man, managed to let the issue reach showdown proportions in the commission is still an untold story. Very likely part of the explanation is Katzenbach's view that the wiretap laws could use some "clarification" and Vorenberg's refusal to leash the gung-ho section of his staff.

Another consensus-wrecker would be debate over reports that were too highly critical of the police. The police must be part of the compact to put the crime drive on the map. Police departments will hardly join in any bold federal-state efforts to upgrade officer qualifications or introduce new communications methods if the police chiefs think they are being investigated at the same time. If the commission has turned up evidence of police misconduct – a wide range of abuses including physical mistreatment of prisoners, unconstitutional arrests and petty corruption – it can be expected to report them in restrained and general terms, naming few names.

If secrecy serves the needs of consensus, it may also spell disappointment when the commission has published, as it will within the next few months, some 2,000 pages of conclusions and data. Anyone reading

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the President's awesome mandate to "eliminate" crime in a year and a half might have looked forward to a data bank that anyone could use to find an answer to a particular crime problem. Take the question whether reform of the assembly-line justice of the nation's dingy, crowded lower criminal courts will cut down on crime. Vorenberg suggests that it will, by increasing respect for the courts. "How can an individual citizen have respect for law and order," he demanded recently, "when the courts he sees are nothing but shabby caricatures of justice?" But how *does* the defendant, a consumer of the legal system, react to the system? The staff is not optimistic about a documented answer though one staffer says, "We did run a little study on that." Secrecy has meant that it will be late in the day when it becomes clear which questions were asked and which were not. LBJ will need all the commission's prestige with the 90th Congress, modest as his crime proposals may be. Strategically the President is off to a bad start, with Congress, having vetoed the last Congress' District of Columbia crime bill. The bill, inspired by Southern congressmen, bent on cracking down on what they consider the city's criminal coddling courts, would have "fought crime" by overturning court decisions on the use of confessions and the insanity defense that the Southerners insist are contributing to the crime rates. It would have increased minimum prison terms in a city where judges already are among the nation's stingiest in granting probation and parole. It took considerable political courage to veto the bill because its mischief was harder to explain to the public than its superficial virtues.

The President's idea is more along the lines of proposals by his D.C. crime commission, whose recommendations are quite incompatible with the crime bill. Whether commissions are all that helpful to a President is worth asking in view of the local commission's close call when asked its opinion of the crime bill. Only a narrow majority supported the veto.

Private, de facto vetoes abound within the national commission. A vocal minority, whose dissents must be muted if possible can take the edge off any radical idea. Byrne, the tough prosecutor, and Luther Youngdahl, the liberal federal judge, are natural foes on civil liberties matters, but they agreed that the commission should not seriously consider the question of taking out from under the criminal law homosexuality involving consenting adults, effectively vetoing the idea. This, then, is an action report, not a compilation of brainstorming possibilities.

If consensus cancels out the most far-reaching approaches to prevention as well as punishment of crime that an independent panel of "wise men" might produce, what remains? One thing that survives is a mountain of information assembled by a staff and hired researchers at a cost of about $1 million – enough data to water the eyes of the most vigilant commissioner and ensure that most of it will be printed in some form, enough information to prove that the most progressive, sociologically sound methods of controlling criminal behavior have not yet been fairly tried, enough to show that too much is spent on caging convicts and not enough on seeing that they can live on the outside without going back to crime, and enough to show the miserable failures of juvenile reform schools and courts.

The other enduring product of consensus is its adaptability to the Johnson-style crime war. No matter how the crime problem is sliced in Washington, it must come out pork, especially if the federal government is to help without nationalizing the police function. The President quickly converted the commission's broad generalizations – still mostly in the galley proof stage – into a State-of-the-Union promise to ask Congress for money to help crime-fighting localities. He said he wants a 90-10 matching program for planning, 60-40 for training and law enforcement hardware, and 50-50 for new local crime laboratories and police academies. The states, which probably will have to form their own crime commissions to share the money, will have to smell the pork and want it fairly badly if Congress is to respond. The figures mentioned among federal planners – something like $30 million in the early stages and $100 million and up later – will be hard to get from a Congress that has cut in two the modest program of the Justice Department's Law Enforcement Assistance Office.

The projected federal investment in crime prevention – LBJ's "Safe Streets and Crime Control Act of 1967" with its symbolic response to Goldwater's complaints about violence in the streets – fits in nicely with the belt tightening of the war on poverty. The figures are small compared to the national budget but may loom large in many a locality. The total national law enforcement budget is only an estimated $2.4 billion a year. Republicans, in their State of the Union remarks, signaled that they will give the Administration a thorough going over for any apparent tenderness toward the criminal that emerges from proposals to improve the climate for rehabilitation. Senator Robert Kennedy demonstrated in a recent Columbia Law School speech that he has studied up on the subject and may make the politics of crime still more interesting this session. As a single operator he possesses the flexibility to be more daring than LBJ in some areas, more conservative in others, once the administration's program is on the line.

"We are ready to move," Mr. Johnson told Congress. He bought time with the commission study, and soon he must move, ready or not. JOHN P. MACKENZIE

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And The Moral of the Baker Case Is ...

As a morality play, the United States of America *v* Robert G. Baker, Criminal Docket No. 39-66 in the US District Court of the District of Columbia, suffers from a single flaw. The essential symbols – virtue and vice – are ambiguities, which is perhaps inevitable in a century in which God Is Dead.

In the dock is the improbable Fallen Angel, Bobby Baker, whose career was held up to the page boys of the United States Senate in 1960 as "a powerful demonstration of just how far intelligence combined with a gracious personality can take a man." By 1961 he had "so distinguished [himself] in the political life of this nation" that American University conferred on him, whatever its value, the honorary Doctor of Laws degree. For the benefit of his family and friends in Pickens, S. C., Senator George Smathers of Florida conferred on him at about the same time and for approximately the same reasons another title: "The third senator from South Carolina."

It was heartening to all who knew him and who knew of him that the son of an obscure letter carrier could have risen so far so fast. It had taken his father 31 years to achieve the postmastership in Pickens. But Bobby was only 25 when Majority Leader Lyndon Johnson chose him in 1955 to be the secretary of the Democrats in the Senate where he served the Leader as "my strong right arm, the last man I see at night, the first one I see in the morning." If history were more predictable, more susceptible to manipulation, he would have, by now, achieved his ambition to sit as the governor of his native state.

Instead, he sits these days in Courtroom 21, balding, a little too plump, a little less animated than a few years ago. The white-on-white shirts with the tight English collars seem to have been washed too often. There is a shine to the blue serge suits; his eyes dart compulsively from one face to another as he listens to the crimes with which he is charged.

The first crime alleged is a violation of Section 7201 of the Internal Revenue Code, namely, income tax evasion for the calendar year 1961. The amount involved has come into dispute since the trial began on January 10. Baker either owes the government $1,504.37 in unpaid taxes for that year (as the indictment states), or he owes the government $1,058.41 (as the government's expert witness claims) or the government owes him a tax refund (as his lawyers insist). It is, in any case, a bookkeepers' argument that turns on driblets of income that were either under- or over-reported. The moral lesson of the argument has not been made clear – at least not to this observer.

Baker's second crime, in the eyes of the United States of America, was to engage in a conspiracy with a lobbyist, Wayne G. Bromley, now unemployed, and with a former lieutenant governor of Nevada, Clifford Jones, to conceal from the director of Internal Revenue facts to which he was entitled and to frustrate him in the performance of his duties, "in violation of Section 7206 (2), Internal Revenue Code."

Conspirator Bromley, who is charged with no crime against the United States and who has described in court repeated acts of perjury before federal agencies since 1963, is the principal witness for the government in support of the conspiracy charge. He personifies Confession and Knowledge in the drama.

He was, by his own description, Baker's "closest friend" since their days as Senate page boys in the 1940's, as college classmates and fraternity brothers, and as coworkers in the Senate where Baker obtained for Bromley a sinecure in the Senate library. Their families fraternized at backyard cookouts. He borrowed money from Baker to buy a house for himself and another for his mother. The relationship was so durable that even after Bromley had arranged in 1965 for government agents to secretly eavesdrop with electronic devices on his conversations with Baker, he continued to see his old friend, to dine with him, to borrow money from him.

The service he rendered to Baker, by his own account, was to act as a front man, a "check-casher," for certain of Baker's extracurricular enterprises in 1962, 1963 and 1964. During those years, he has testified, checks in the amount of $36,500 were issued in his name by four companies – First Western Financial Corporation of Las Vegas (a Clifford Jones company), US Freight Company of New York, Harvey Aluminum of Torrance, California, and the Redwood National Bank of Marin County, California. Of the total, Bromley claimed to have received only $2,500 for himself; the rest was income to Baker for services rendered to the payers.

The nature of those services is unclear. Jones has not testified. Morris Forgash who, as president of US Freight, employed Baker, is now dead. The Harvey Aluminum retainer was paid in 1964 after Baker had left his Senate employment. The Redwood Bank was apparently under the impression that it was Bromley, rather than Baker, who had been hired to inquire after the status of its national charter.

There is no recorded evidence, in any case (and no charge by the government), that whatever influence Baker may have had was improperly used, or that he

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had ever sought to lead the Senate down paths it ought not have trod, or that he had done anything, for that matter, of sufficient moment to justify the fees he was paid. Nor has there been any showing that those fees escaped taxation. The whole government point is simply that the Internal Revenue Service was criminally deceived, a point that is perhaps dulled by the fact that it has apparently granted immunity to one of those (Bromley) who was a party to the deception. Another who was apparently deceived – at least by Baker's account, was Lyndon Johnson. Baker said he used middlemen to collect his fees because Mr. Johnson had ordered him in 1960 to engage in no "moonlighting or sundowning" activities. Again, the moral instruction is less clear than the statute cited in the true bill.

The heart of the case and the reason old men and suburban housewives queue up outside Courtroom 21 to peer, wide-eyed, through little windows at the defendant, is something else again. What is going on inside, in some indistinct but larger sense, is the trial of the system of American politics Baker has rightly or wrongly come to symbolize.

The protagonists are familiar. On one side are members of that segment of the business establishment represented by barons of the savings and loan industry in California; on the other side is the US Congress. In the familiar role of middleman is Bobby Baker.

The following facts are not in dispute:

In the summer of 1962 the savings and loan industry was struggling mightily in Washington to stave off a major tax increase proposed by the Kennedy administration. Its efforts met with success in the House, where a watered-down version of the Kennedy proposal was approved. The Senate was less pliable, and the most adamant of its members was the ranking Democrat of the Senate Finance Committee, the late Robert Kerr of Oklahoma.

At his insistence, the Finance Committee tentatively approved in July a stringent tax measure that would have cost the industry millions. Kerr was introduced at this time – by Baker – to Kenneth Childs, who was then president of Home Savings & Loan in Los Angeles, the largest savings institution in the United States.

They met at the Capitol and talked privately for a few minutes. Witness Childs has testified that the subject of the conversation was gin rummy. Witness Baker has pleaded ignorance of what was said; he was not privy to the discussion.

About two months later, however, Childs was back in Washington and met, on that occasion, with Baker in a little alcove separating a bar and a restaurant in the basement of the Carroll Arms Hotel on Capitol Hill. According to Childs, Baker, at this furtive meeting, suggested that the embattled savings and loan industry could acquire "friends" in Washington with an "impressive" donation of $100,000 for such "needy" lawmakers as Chairman Wilbur Mills of the House Ways and Means Committee, and a bipartisan group of senators that included Everett Dirksen, Carl Hayden, Thruston Morton, J. William Fulbright, George Smathers, Wallace Bennett and Frank Carlson.

Baker gives a different account of that conversation. "Mr. Childs," he told the Court, "advised me that as a result of a conference with Senator Kerr he was going back to California and recommend that his colleagues get together and make a substantial contribution to Senator Kerr to be used in the 1962 elections."

Whether Baker or Kerr instigated that contribution is relevant to Baker's defense and to the sanctity of the legislative process. For on the day after the Childs-Baker meeting, September 24, 1962, Senate conferees, led by Senator Kerr, agreed to accept the House version of the savings and loan tax bill. It was quite a victory for the industry, especially those privately owned stock companies in California that would have been most severely affected by the Kennedy and Kerr proposals.

The response of the Californians was to raise $99,600, all of it in cash, which was delivered in three installments to Baker. Both the defense and the prosecution agree on that much. The first installment, $50,100, was delivered to Baker in Washington on October 21 by Stuart Davis, board chairman of the Great Western Financial Corporation in San Francisco. The second installment of $16,200 was given to Baker in Washington on October 31 by John F. Marten, who was then president of Great Western. The final installment of $33,300 was picked up by Baker in the Los Angeles office of Sidney Martin Taper, board chairman of the First Charter Financial Corporation.

What these large sums of money were calculated to purchase was not clear from the testimony of those who gave it. Were these impeccable bankers attempting to buy Senator Kerr or his colleagues or merely Bobby Baker? The trial has provided no clear answer to that intriguing speculation.

Their intention, the bankers vaguely explained, was to "contribute" to unnamed senators. They received no acknowledgment of their generous gift and none, they said, was expected. No receipts were asked or given. Neither the prosecution nor the defense pursued the subject to its logical conclusion, nor raised any serious question as to why a third of the money – $33,600 – was delivered three days after the election of 1962 had been held.

But that, of course, was incidental to the proceedings because the bankers are accused of no crime.

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No member of Congress is accused of any crime, and the legislative process itself is not on trial. The alleged criminal is merely Baker and the crime charged to him is that he failed to deliver the money to whoever was to get it; that he betrayed both the Congress and the businessmen by diverting to his own use at least $80,000 of the payoff. The government further charges that he compounded that crime by failing to pay taxes on the fruit of his theft.

In his own defense, Baker has taken the stand to declare that he was misjudged, that he was, in fact, faithful to the trust placed in him by the Senate and by the men who sought to influence its actions. He did with the money, in his own words, "precisely what I was expected to do. . . . Precisely what the senator [Kerr] told me to."

Kerr has been dead since New Year's Day 1963 and is thus unavailable to deny or corroborate Baker's story. Baker claims that the senator got every penny of the $99,600 and that $41,000 of the total was found in Kerr's safety deposit box two weeks after his death. None of the money, said Baker, was given to Rep. Mills or to any of the Senators named by witness Childs.

The jury (composed of 11 government clerks and technicians and one government pensioner) will have to evaluate Baker's story. But at the end of the trial's second week, the central issue was clear enough: If Baker had stolen $80,000 from the Californians, if he had failed to carry out the transaction with the Senate, he was guilty of a crime against the United States. But if he had delivered the cash to Senator Kerr, for whatever services Kerr had or intended to render the payers, then no crime had been committed and the government of the United States had no complaint.

As a thief, Baker could be imprisoned. As a party to a bribe, he would be an innocent man.

What moral instruction does one derive from that?

RICHARD HARWOOD

"Unrepentant, Unyielding"

An Interview with Viet Cong Prisoners

by Bernard B. Fall

Lai-Khé, South Vietnam

Two years ago, Lai-Khé was a tranquil place hardly an hour's ride from Saigon, and the home of the *Institut de Recherches du Caoutchouc du Vietnam*, a research institute jointly financed by the French rubber plantations in Vietnam. There was some rubber production as such, but the low, yellow-stuccoed laboratory building with its neat rows of glittering instruments and vats full of creamy latex, the clean native village of the rubber tappers, and the spacious villas for the French scientists and administrators, gave the whole place the air of a well-funded American agricultural college. The war changed all that, for Lai-Khé is at the edge of a forest complex situated between two rivers which eventually merge about 20 miles from Saigon, thus forming a triangle pointing at South Vietnam's capital. In a series of swift attacks on the Vietnamese Army posts at the edge of the forest in late 1964, the Viet Cong had completely dismantled the whole government civilian and military apparatus in the area and taken over the town of Ben-Suc, a pleasant little place inside a meander of the Saigon River, big enough to appear on most maps of Vietnam.

Repeated attempts by the Vietnamese to retake the area failed (the stripped hulls of three American M-113 armored personnel carriers lost to accurate Viet Cong fire still lie near the road to Ben-Suc), and even a push by the US 173rd Airborne Brigade in 1965 yielded no tangible results. Progressively, the 210 square miles of forest between Ben-Suc and Ben-Cat acquired its sinister reputation as the "Iron Triangle," said to contain not only crack VC elements, but also the command structure of MR-4, the Liberation Front's 4th Military Region covering the Saigon area. It was from the Iron Triangle that the repeated successful VC penetrations of Saigon's huge Tan Son Nhut airbase had come. As long as the Iron Triangle existed, Saigon itself would be exposed to the threat of attack. The decision was therefore made late in 1966 to destroy the Iron Triangle in the largest concentrated attack by US Forces since the Vietnam war began. The operation, begun on January 8, opened with the 1st Infantry in position on the Iron Triangle's northern base, with the 25th In-

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fantry Division 196th Light Brigade blocking all escapes on the left flank across the Saigon River, while the ARVN's 5th Division and parts of the 173rd Airborne Brigade held the right flank. Other units, including the ARVN 8th Infantry which, the year before, had broken at Ben-Suc, further reinforced the assault units. In all, 28 combat battalions – over 30,000 men with their logistical support – and 35 artillery batteries (140 field guns) had converged on the Triangle. But the key actors, on the American side, were not the men, but the unleashed machines.

Bomb Carpets in the Jungle

For days before the actual attack, the windows of Saigon had been rattling from concentrated B-52 raids on the Triangle, at least 13 of them in eight days, unloading hundreds of tons of heavy explosives on every raid, plowing under the Viet Cong's incredibly extensive network of underground tunnels and depots. Thanks also to American technology, the Air Force cartographers are capable of providing the military with fantastically detailed photo maps *in color* within a few hours after the strikes. On these maps, the trails of the bomb carpets in the jungle look like the tracks of tiger claws on an animal's skin – claw marks that are three miles long and over 100 feet wide. Whenever the strategic bombers were not over the Triangle, artillery barrages and the hammering of the light fighter-bombers saw to it that no Viet Cong would try to break out from the hell that the Triangle had become.

But the newest weapon of them all and, in its own way, the most incredibly impressive for all its civilian normality, was an assemblage of perhaps 80 bulldozers, in many cases airlifted into the midst of the jungle by huge "Skycrane" helicopters or the somewhat smaller "Chinooks." Their job was simple: eliminate the jungle once and for all. By the third day of the battle, huge yellow scars had begun to be clearly visible in the deep jungle green as the bulldozers began to plow down the jungle as if some insane developer were suddenly hell-bent on covering Vietnam with Levittowns or parking lots. Such Viet Cong hideouts or tunnels as there were, either were crushed or their exits bulldozed shut, for in many cases the adversary (as well as civilians) hiding in the tunnels disappeared in their deepest recesses rather than surrender. "Tunnel rats," American soldiers specially picked for their small size and equipped with gas projectors and what looked like flamethrowers, sometimes penetrated for hundreds of meters into the burrows, looking for what was said to be a veritable "subway" crossing the whole Triangle. It was never found and perhaps never existed.

Inexorably, the bulldozers bit into the countryside, cutting huge swaths of cleared land right across the Triangle. They were followed by flamethrower tanks and teams on foot, destroying the felled trees with fire. And not only the trees: every human inhabitation within the beaten zone, be it an isolated hut which may have been used by the Viet Cong, or a whole little hamlet inhabited for years by charcoal kilners – nonwhite Saigon cooks with charcoal almost exclusively – went up in flames. There was one day toward the end of the week in which the air was totally still and the sky as transparently fresh and pure as on a spring day in America. Yet as I joined a new unit within the Triangle by helicopter, the whole sky, literally in a 360° circle, was framed in by perfectly straight black columns: the earth was being scorched on the whole perimeter of the Iron Triangle. And the town of Ben-Suc was among them.

Ben-Suc had been occupied in less than two minutes by two battalions of the 28th Infantry, followed by Vietnamese troops, while overhead loudspeaker helicopters instructed the population to stay put, for "anyone seen running away will be considered a Viet Cong." The 3,500 women, children and old men (there was not one able-bodied man in the lot) stayed put as Vietnamese Navy landing craft beached in front of the village and began to take aboard the population for a 10-mile ride downstream to a temporary refugee camp at Phu-Cuong. They went without offering resistance, believing that they would merely be taken away temporarily until the operation was over. But Operation "Cedar Falls" (the code name for the whole undertaking) was, in the words of a briefing officer, an "operation with a real difference" – there would be no coming back, because Ben-Suc would be put to the torch and then razed with bulldozers, just like the forest and part of the rubber plantation. A clamor arose as the women begged to be allowed to return long enough to dig up their meager treasures, for as in Europe during the Thirty Years War, the peasants of Vietnam have long resorted to burying their money and jewelry in earthenware jars to keep them from being pilfered by government troops or taxed away by the Viet Cong. The respite was granted and the American troops even made arrangements to evacuate the most precious movable belongings of the villagers, their buffaloes and wagons.

"Make damn' sure the buffaloes stay with the refugees and don't end up in the market place," I overheard the earnest young major in charge of the evacuation say to one of his subordinates escorting the landing craft.

As the burning houses began to collapse and the bulldozers methodically bit into the remaining standing walls, a new town seemed to emerge altogether from the debris. Ben-Suc was honeycombed with tunnels, trenches and stone-lined bunkers, and every

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house was built atop huge rice caches carefully lined with wicker mats. There were hundreds of tons there (the total "take" in the Triangle was 3,170 tons), far in excess of what Ben-Suc could have produced, let alone saved from previous crops.

"You see," said the young major, "Ben-Suc was a major transit point of supplies both for War Zone 'C' and probably the VC's central headquarters. The stuff would come up here by motor sampan and the population then transfers it on its buffalo carts and off it goes into the deep jungle in escorted convoys."

"Look at the rice," he said, picking up a handful which he carried in the breastpocket of his combat jacket, "there are at least 20 different brands here from all over South Vietnam and probably from the US, too. I've sent a batch down to Intelligence. They'll find out where it came from."

He looked back on smoking Ben-Suc with real affection as he held its rice in his hand.

"Would you believe that we offered the women that they could take the rice with them as their own if they told us where the rice caches were? *Not one* of them spoke up. Now *that's* loyalty."

As he spoke, he opened his hand to let the golden rice grains fall on the ground, stopped in mid-gesture, and put the rice back into his pocket. I scooped up a handful from the smoldering heap to my right and put it in one of my pockets. That much of Ben-Suc would stay alive. Later, what was left of Ben-Suc would be obliterated by Air Force bombers in order to destroy whatever underground caches and depots had been missed by the bulldozers.

In the evening at the mess tent, the day's doings were toted up as officers from nearby units came in for briefing and for a hasty bite to eat. There were over 400 dead by "body count," 62 prisoners, 18 machine-guns (including three brand-new American M-60's), more than 200 individual weapons (there would be close to 400 by the end of the operation, along with 508 enemy dead and 6,000 displaced civilians), and miles and miles of destroyed tunnels.

A whole jungle hospital, with two levels below ground and one above ground, had been captured.

"You should have seen the equipment," said the G-2. "Some of the stuff was good enough to be used in our hospital. West German surgical scissors at $45 apiece by the trunkful; French antibiotics."

Now, according to an order issued by General Westmoreland, on September 20, 1966, in compliance with Article 33 of the 1949 Geneva Convention, "captured or abandoned medical supplies or facilities will not be destroyed intentionally." I was told, however, how the field hospital had been disposed of.

"Well," said an eyewitness, "we removed all the medical equipment, and then all there was left was just another empty bunker and tunnel system. So we destroyed it like everything else." The same also happened to a smaller VC aid station.

An NBC television crew with a neighboring outfit witnessed and photographed the mutilation of a dead enemy soldier, but the NBC hierarchy in New York, mindful of the uproar created more than a year ago when an enterprising CBS cameraman filmed the burning of a village with cigarette lighters, "killed" the sequence. Conversely, a reporter for a Texas newspaper was wounded that day by a VC sniper while he was flying about in a med-evac helicopter clearly marked with large red crosses. It is this kind of mutual barbarization, the needless cruelties inflicted far beyond military necessity, which will make the Vietnam war stand out in modern history.

"You should see 'em," said the burly prison camp commander. "Unrepentant, unyielding. The only thing they're sorry for is that they got taken alive."

Like Green-Clad Desert Arabs

He was referring to Professor Vinh Long and Middle-Level Teacher Tran Van Tan, captured in the Iron Triangle, and probably the highest-ranking Liberation Front cadres thus far to fall into American hands. Both were native Southerners, Vinh Long being born in Danang, and Tan in the province of the Iron Triangle. Both had gone to North Vietnam in 1954 when the country was partitioned, and both had gone on to higher studies. Long got his AB in physics and mathematics in 1963, Tan an AB in education in 1962. Both were "finds" in their own right, since they were involved in running the general education department of MR 4. [*For security reasons, we have substituted fictitious names for the real names of the prisoners interviewed by Mr. Fall.* – THE EDITORS]

The prisoner-of-war enclosure of the 1st Division was a small clearing in the rubber tree forest, surrounded by concertina barbed wire in which two squad tents had been erected. Within the enclosure was an even smaller enclosure, housing three captive women, one of them a pretty 19-year-old Eurasian girl with long red hair and freckles, but almond-shaped eyes. "She was a cook in the outfit," explained an escort.

Vietnam can be bitingly cold in January and we were shivering in our jungle combat uniforms, particularly after a night spent rolled in a poncho liner. The prisoners were lying on normal Army cots and had been issued three woolen blankets each, and each of them seemed to have his share of C-rations. Courteously sitting up on their cots as we approached, they looked, wrapped in their blankets, like green-clad desert Arabs. Intelligent, ascetic faces with deep-burning eyes, showing no fear – just curiosity as to

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what next. I first sat down with Vinh Long, flanked by a Vietnamese sergeant acting as an interpreter and an American captain. The captain was showing signs of a very bad cold, sneezing and fumbling through his pockets for an absent handkerchief. The Vietnamese prisoner picked up the C-ration box, searched around in it and came up with the tiny roll of toilet paper it contains, which he handed to the captain.

"We'll Win, Anyway"

Long said that he spoke no French, but he spoke Russian. I explained to him in Russian that I was a college professor myself, not a soldier, and that I was not interested in military information. I also apologized for my bad Vietnamese and for the fact that I'd have to use an interpreter. That's all right he said, now clearly relaxed. Who had ordered him to return South?

"The party. But I would have gone in any case because I wanted to. I was happy. I visited Hanoi before I left."

He had left the North in December 1963 for the Duong Minh Chau area – the headquarters area of the Liberation Front. Before his departure from the North, where he has been stationed with the 338th Division at Xuan-Mai (he offered no information on units except those already known from papers captured with him), he had been briefed on the war here.

"We were given an accurate picture of what was going on in the South and told that victory would be easy. Of course, with the Americans here, it's not so easy." He picked up a cigarette in the C-ration carton, offered the others around, and then looked straight at me.

"But we'll win, anyway. Every country in the world helps us. Look at the American, Morrison, who committed suicide because he disagreed with American policies."

True, I said. But how about the other 200 million Americans who don't kill themselves?

"The Liberation Front forces will win in any case, because all the Vietnamese people help us. This war can only be settled among the Vietnamese themselves. The Americans and their allies must go."

But he had seen the Americans, now. Realistically, could they be made to go?

"Lots of American soldiers do get killed in battles, Look at Chulai, Pleiku, Tayninh. We can do it."

To the Viet Cong, those battles, which we either claim as having won ourselves (Chulai), or as having suffered only minor losses (Pleiku), represent major victories. I said that I feared he was confusing the Americans with the French. The French weren't one-tenth as powerful as the Americans.

"Oh, I know the French were weaker than the US is, but we'll still win because our cause is right. Do the Americans think they can stay with this kind of war for 30, 40 years? Because that is what this is going to take."

The members of the Front are known to practice self-criticism. If he were to criticize himself for his activities over the past year, would he do something differently? There was a momentary lowering of the head, and a great deal of pride in the short answer: "I wouldn't change a thing."

And what would he do after all this was over?

"When I get out of this a free man, I will again work for the Liberation Front."

There was a poem, in wartime France, about a resistance member who had given exactly that answer to a German military court:

Et si c était à refaire
Je referais ce chemin . . .

Yes, but that was 23 years ago, and the Nazis were the bad guys, and here the Free World is fighting the good fight with billions of dollars' worth of firepower against bad guys like Long and the freckle-faced cook.

"I told you," said the captain. "Unrepentant. Unyielding."

Tan was less tense than Vinh Long; perhaps because we had switched from a Vietnamese interpreter to an American GI (one of the few real side-benefits of this whole mess is that the US Armed Forces are going to have more Vietnamese linguists than all the universities of the whole world taken together; and that is *not* a figure of speech). Tan, in addition to education, had minored in anatomy and physiology and had been the inspector of the VC's educational system for the military zone. Though having fought in the Viet Minh against the French since 1950, he only joined the Communist Party here in South Vietnam in 1966, and like Vinh Long, he was sure that his side was winning.

"It's only natural that we should receive help from North Vietnam. After all, we're all Vietnamese, aren't we? Just as the Saigon government gets American help, the Front gets help from the socialist countries." There was a pause, and Tan said with great emphasis: "And it will never stop. *Never*. Even if their help does not rise above the present level, we'll win."

How did he feel he was being considered in the movement, being an intellectual, I asked. Wasn't he treated with a certain amount of suspicion?

"Oh, there is a certain amount of suspicion against intellectuals, but that is understandable. After all, being intellectuals, they are divorced from the masses and the working class, in particular."

"We Southern cadres are not discriminated against by the Northerners, although it did happen that some of the 'regroupees' [Southerners who went to the North in 1954 and then were reinfiltrated. B.F.] would

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desert from homesickness once they came South again. It doesn't affect our status at all."

But as a man trained in dialectical materialism, how could he dismiss American power so lightly in his estimates of the outcome of the war? That, to him, was no problem at all:

"After all, the Front is fighting a just war, as a true representative of the South Vietnamese people. This being a just war, we shall win."

But other "just wars" were lost in other places . . .

"Indonesia?" he interjected helpfully.

No, I said, but Greece, Malaya and the Philippines for example. As an intellectual, he could not dismiss these defeats lightly, unless he felt that these wars weren't "just wars."

"Not at all. They were just wars, to be sure, and the people were defeated, but only temporarily. The will to fight on remained in their hearts and they surely will rise again. But here, there won't be even such a temporary setback. The party has been active in South Vietnam for 36 years and thus defeat of its organization is impossible now."

"Here, the guerrillas will become stronger and stronger with the help of the socialist countries."

Yes, but did not the Sino-Soviet split introduce a weakening factor in this aid effort? Now he was on the defensive for the first time.

"Those struggles for greater socialist unity no more affect the socialist camp's effort in Vietnam than the French-American dispute affects power relationships in the West."

Come now, I said, if you read *Pravda* and the *Peking Review* and the incredibly severe mutual accusations between Peking and Moscow, you wouldn't describe this as a "struggle for greater unity."

"Let's not get into this. We'll win in any case."

Even if South Vietnam is totally destroyed in the process by American artillery and bombers? He had seen what happened here. It's happening all over the country. There was a hurt look in his eyes as the implication sunk in: "If South Vietnam is lost, we have got nothing left to live for. We would rather be dead than live as slaves. Have *you* ever seen anybody who wants to live as a slave?"

No, I had never seen anybody who wanted to, but I'd seen plenty of cases where people *had* to because they were given no choice. And I cited, on his side of the fence, the Budapest uprisings, and on our side, the Dominican Republic operation.

"These are small things," was his reply. And what did he think of how this whole war got started, I asked.

"Ah, the Americans are sly and clever," said Tan, whereupon the Americans present broke out in uncontrolled laughter. The interpreter explained to Tan that the Americans themselves never thought of themselves as either sly or clever. He nodded pensively, as if this were an important revelation.

"You know, they never smile," said the captain to me. I told him that considering their position and what was in store for them – transfer to the far-from-tender South Vietnamese – I wouldn't smile, either.

"The Americans," Tan went on, "took over military planning for the Saigon government. Their economic experts forced the South Vietnamese to work for them and Diem persecuted everybody. He would have killed us all, and that is why we revolted."

Tan, who had been silent for a moment, looked up and asked the interpreter if he, too, could ask me a few questions since I was a professor. Of course, he could.

"Do you know whether we will be treated as prisoners according to the Geneva Convention?"

Obviously, word must have gotten around among the Viet Cong about how badly most of the prisoners are still treated on this side, all promises of improvement notwithstanding, with the Americans reluctant to intervene once the prisoners have been transferred. All that I could say lamely was that he was being treated according to the Convention right now.

"Do American families approve of their soldiers here killing innocent people?"

Most of them weren't aware of innocent people being killed here, I said. As for the soldiers themselves, they were carrying out orders just as he was.

"Yes, but I'm here as a Vietnamese, in my own country. Why are the Americans all over the place, in Greece, in Laos?"

Well, they were helping their own allies, just as he expected the socialist camp to help him. But the socialist camp's aid was "political," he retorted. To which I answered that the Chinese weapons we had captured yesterday did not look "political" to me. A quick fleeting smile conceded the point to me.

"You may be right on that, but after all, it is the Americans who are the aggressors."

"Victory by Fade-Out"

Why were the North Vietnamese so difficult about negotiations? I asked. On this, he was probably to the left (or was it right?) of official Front and North Vietnamese policy. Like Ambassador Henry Cabot Lodge here, who feels that negotiations are pointless if "victory by fade-out" can be achieved – a point which he has repeatedly made ever since September 1965 – Tan felt that there was little to negotiate since his side was winning and since Vietnam was "one country."

Contrary to the Front's and Hanoi's avowed programs, he felt that reunification would come rapidly if the Americans were to leave. In fact, he did not believe that a divided Vietnam would "work." I told him that,

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for the sake of world peace, both Germany and Korea had accepted more or less permanent division.

"That's all right for them. But we rose up and fought for our own independence. We don't want to stay divided."

Yet, when asked what he would have done differently, Tan said that he would have negotiated last year, before the massive input of American troops, and he came through with a small truth which confirmed what intelligence specialists here had been wondering about for quite a while:

"You know, this is no longer the 'Special War' General Taylor talked about, but a new type of war [here the interpreter was faced with one of those party neologisms for which there was no acceptable single word] where outside forces became primary."

"The decision that the character of the war had changed was made late last year here in the South, either by the People's Revolutionary [*i.e.*, South Vietnamese Communist] Party, or by the Central Committee of the Liberation Front. But when I was captured I did not yet know what this decision entailed."

As far as is known, the decision entails the maintenance of large units in reserve at more or less secure bases, while small forward units inflict heavy losses on the allied forces. How well this tactic works was shown this week, when the US suffered the highest casualties of the war (1,200 in one week) – all as a result of dozens of pinprick attacks.

But Tan knew that he was on the right path. As I was getting up to leave, he said earnestly: "We are not fighting here to have a cease-fire and prolonged division. It is the Americans who sent their troops here. They will have to make the decision to leave. Nobody can make it for them."

As I walked out, after he had ceremoniously shaken hands with the captain, the interpreter and me, Tan said something very rapidly.

"He's asking you to thank the American people and Lord Russell for what they are doing."

Back at Division, reports were still filtering in. Ben-Suc was now totally evacuated. A herd of 61 reluctant buffaloes which proved intractable to adult Americans – it seems to be true that buffaloes find the white man's smell offensive – had required the re-airlifting in of 10 Vietnamese buffalo-boys aged six to 10 who rounded up the two-ton beasts without much difficulty. The town was now bulldozed flat and awaited its final airstrike.

Standing in his map tent, the brigade commander was going through the details of the pull-out, for after all the blood and the firepower spent here, the Iron Triangle would not be held.

"We just haven't got the troops to stay here, and the Arvins [for ARVN, the South Vietnamese Army] simply won't."

"In other words," I said, "the VC will move right back in again."

"Sure," said the general. "But they'll find their dug-outs smashed, huge open lanes in the forest, and at least we'll have helicopter LZ's [landing zones] all over the place. Next time's going to be easier to get back in."

As I walked out of the command post, a short, whitewashed obelisk caught my eye, standing at the entrance to Lai-Khé. It was a monument to the dead of the 2nd Moroccan Spahi Regiment, the 2nd Cambodian Mobile Battalion, the 3rd and 25th Algerian Rifle Battalions, and 3rd Battalion, 4th Tunisian Rifles; who had died for the Iron Triangle between 1946 and 1954.

Who's Fit to Be Free?

by James Ridgeway

Charles C. Rouse, 22, of Washington, D. C., is seeking release from St. Elizabeth's mental hospital; and his case, which has been wending its way through the federal courts for two years, instructs how mental institutions can be used as prisons.

Rouse ran into trouble when the Washington police stopped him on a street corner about 2 a.m. in September of 1962. He was carrying a suitcase, and on opening it, the police discovered a .45 Colt automatic pistol with 100 rounds of .45 ammunition and 500 rounds of .22 caliber ammunition along with two electric drills, hacksaw and blades and miscellaneous other tools. Carrying a deadly weapon is a misdemeanor for which the maximum penalty is imprisonment for one year. However, in the District of Columbia a defendant may plead not guilty by reason of insanity and if, under the Durham rule, the court finds the unlawful act to be the product of a mental disease the defendant can be sent to a mental hospital for treatment. This is what happened to Rouse. He was observed by psychiatrists

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who said he was suffering from a personality disorder called antisocial reaction. And he was sent to the John Howard Pavilion of St. Elizabeth's hospital, the large federal mental hospital located in the Washington outskirts. He has been there four and a half years under maximum security confinement.

Rouse had been arrested before, once for passing bum checks and another time for stealing cars. These charges, however, did not result in convictions and his attorneys later claimed that the bad checks were small overdrafts on his own checking account which he made good, and the stolen car belonged to his mother, who in trying to teach him a lesson, had a judge give Rouse a scolding. When he was a youngster, Rouse went for a while to a mental health clinic; the doctors at St. Elizabeth's found him to be suffering from a minor head injury and they gave him pills for dizziness. Other than this, there is scant indication in court records of any history of serious mental illness, or that Rouse was violently inclined.

The Patient Goes to Court

Two years ago Rouse filed a writ of *habeas corpus* in the federal district court for the District of Columbia, and at the ensuing hearing the details of his case became a bit clearer. Dr. Straty H. Economon, the hospital doctor in charge of Rouse, was asked by the government counsel to describe the patient's actions.

Dr. Economon cited a number of instances where Rouse acted peculiarly. For one thing, Rouse refused an invitation to move to less secure wards and buildings within the hospital; instead, the patient sought relief through litigation, which showed he exercised "poor judgment" and possessed little "insight" into his own actions. Rouse was offered a chance to join group therapy and for a time he did so. Then, according to Dr. Economon, in a "cavalier manner" Rouse broke off group therapy. "I think this shows poor judgment," Dr. Economon said. "I think he lacks insight. I think he is mentally ill."

Dr. Economon claimed Rouse manipulated people, agitating the patients in the ward. "Over and over and over again," he declared, "I have pleaded with him to make attempts to be more comfortable in a downstairs ward, where he will have more privileges, to get involved with people. He does not get involved with people. Rather, he stays unto himself basically and is semi-secluded voluntarily. And because he does not get together with people I conclude that he is antisocial, antisocial since he cannot tolerate the anxiety that comes with having relationships with people."

In these cases, the judge must decide whether the patient will be dangerous to himself and others if released. Dr. Economon said: "In my opinion if Mr. Rouse were placed at liberty at the present time it would be a precipitous thing to do and he would be dangerous to himself and to other people by virtue of this mental illness. I think he needs supervision over the long haul."

The Court: Specifically, in what respect would he be dangerous to others or might he be dangerous to others?

Dr. Economon: He might be dangerous to others, Your Honor, in terms of antisocial acts, which might include acts of violence, criminal acts.

The Court: Suppose you be more specific.

Dr. Economon: Getting a gun and some ammunition.

The Court: And then?

Dr. Economon: And being at large in the public.

The Court: And shooting somebody?

Dr. Economon: This is what guns do. Yes, he could shoot someone, perhaps.

In behalf of Rouse, his attorney produced one psychiatrist who said the patient could be conditionally released. The District Mental Health Commission examined Rouse and concluded that further hospitalization would stifle the patient's development, and that he should be discharged. However, the judge, Alexander Holtzoff, found none of this convincing and said Rouse had not taken advantage of the opportunities offered him by the hospital, thereby handicapping the doctors in determining whether he was safe to release. Holtzoff denied the writ.

This decision was appealed to the US Court of Appeals for the District of Columbia where in a 2-1 decision Chief Judge David Bazelon, writing for the majority, sent the case back to the district court for a hearing to determine whether in fact Rouse was sane and whether he had received adequate treatment in the hospital. In early January the matter once more came before Judge Holtzoff.

By now Rouse's writ was a test case, and the patient's interest in his own release seemed almost secondary to the battle that was being fought between Bazelon and Holtzoff. Bazelon is a pioneer in mental health reform and wrote the Durham rule. Now, by directing the district court to determine whether a patient was receiving "adequate treatment," the courts were making a new departure by inquiring into the internal administration of mental hospitals. Holtzoff resists this trend, maintaining "the courts are not a super-government." In the Rouse case, Judge Holtzoff was not only putting forth his own philosophy; more to the point, he was expressing the philosophy of the psychiatrists at St. Elizabeth's who are not anxious to come under closer scrutiny by the courts.

Meanwhile, Rouse's attorney, Charles Halpern, got a foundation grant to pay for bringing in two well-known psychiatrists to give their views on Rouse's

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sanity and the adequacy of the treatment. Holtzoff saw this as a publicity stunt and to keep the case from becoming a major public issue, he took the unusual step of forbidding the attorneys on both sides to talk to the press.

The Second Hearing

One year after the initial hearing and with Rouse still under maximum security confinement in John Howard Pavilion, the second hearing began. Dr. Economon testified the patient had made some slow progress but still had a long way to go. However, there was little in any of the hospital's testimony to suggest Rouse was violent. He kept clear of fights, did his chores on the ward, but still stayed to himself, reading a great deal instead of mixing more with people which the doctors regarded as therapeutic. Rouse was hostile toward Dr. Economon. As for treatment, hospital psychiatrists said ward life was therapeutic. A psychiatrist would look in on Rouse perhaps twice a month.

Dr. Economon, a short, hefty man who by now is St. Elizabeth's most polished witness, once again bore the brunt of the case for the hospital. He described how the illness of antisocial reaction manifested itself in Rouse: "He is a person who has not been able to profit very much from past experience and present learning situations. He is a person who has no loyalties. He cannot get close to the people. He cannot love. He pushes love and human warmth and fellowship away. He is a person who is callous, hedonistic to the extreme. He is an individual with a marked lack of a sense of responsibility to himself or to other people. Although intellectually quite superior, emotionally he is immature."

Dr. Economon said Rouse had gone overboard in a pen-pal relationship with some girls; through devious means he persuaded several that he wanted to marry them. Trifling with the affections of young women in this manner was not regarded as a sign of recovered health by the hospital. Dr. Economon cited a conversation Rouse had with Mr. Banks, the senior nursing attendant: "Mr. Banks was listening to Mr. Rouse, who continues to think in grandiose, unrealistic terms, stating of having pulled many jobs; that is, many criminal acts; stating that if he is discharged from the hospital, he's going to Lake Placid, New York, and have a vacation for three months with his father's money, his late father's money. Mr. Banks pointed out, 'this is unrealistic, this is immature.' Perhaps he should work and go to school, said Mr. Banks. Mr. Rouse replied to Mr. Banks, 'there are all kinds of ways of getting money without working for it, only fools work for money.' "

"This is sociopathic behavior. This is distrubed." And so, in Dr. Economon's opinion Rouse was still dangerous and should not be released. Two psychiatrists brought in by Rouse said he was not receiving adequate treatment. Another, Dr. Clarence E. Bunge, of the District Mental Health Commission, who had testified at the previous hearing, said Rouse should be released; he found the patient improved since he saw him a year ago. Rouse's attorney, Charles Halpern, argued that the treatment given his client was inadequate, and that the hospital should be given a period of time, say 60 days, to begin proper treatment, or the patient should be released. Judge Holtzoff, however, said Halpern had not shown the treatment to be inadequate, and dismissed the writ. The Rouse case now goes back to the Court of Appeals.

The Rouse case illustrates how a mental hospital can become a place where people with unorthodox behavior can be confined for indefinite periods of time. The maximum sentence for carrying a pistol is one year. Now, after four and a half years in a mental hospital, the psychiatrists claim and a judge has twice found that Rouse is too dangerous to let out. Although no one has actually said that Rouse is violent, the judge and psychiatrists apparently fear that if released Rouse *might* get a pistol, and then he *might* do something dreadful with it. The same could be said for any number of people wandering around Washington with loaded pistols every day.

Dr. Economon's testimony suggests his major concern with Rouse is that he is uncooperative – and bad. For example, Dr. Economon claims Rouse told a nurse he wanted to spend three months vacationing at Lake Placid. Dr. Economon says this is sick because it is irresponsible; he then calls Rouse a sociopath.

When Dr. Economon offered Rouse a chance to go to a less secure ward, Rouse declined, instead preparing a writ of *habeas corpus* and initiating a series of proceedings in which Dr. Economon's abilities were challenged. In the middle of the latest hearing, Dr. Economon said he regarded the court proceedings as "anti-therapeutic" for Rouse. Is this so, or might this statement be an attempt by Dr. Economon to strike back at Rouse, who by filing the writ had posed a threat to Dr. Economon and the hospital?

The case raises other questions. How competent is a judge to determine the adequacy of treatment after hearing from competing psychiatric experts? Should he rely on the word of the hospital? If he does, then what rights has the patient to be free?

Is psychiatric treatment of much use when a patient resists it? Should a patient who refuses treatment then be detained in effect as a prisoner, until under this threat, he begins treatment? And might it not be a sign that a person is getting well when he rebels against the institution which seems to him totalitarian?

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STANLEY KAUFFMANN *Like a Knife*

Robert Shaw's swift, fascinating short novel* is, in a way a critic's cross. It is hard to discuss it without revealing the plot, and it would be seriously unfair to reveal the plot; yet this gripping book is well worth comment. In most instances when revelation means reduction, the work isn't much anyway. Or if it is a good work and it contains surprises (like Antonioni's new film *Blow-up*), revelation is often irrelevant because the surprise is more important for the characters than for us. In a few instances, like Shaw's novel, a genuinely good work needs to have its surprises respected because they are part of a valid aesthetic design, in a double way. If you reread such a book (I have read this book twice), the memory of the surprises in the first reading enhances your foreknowledge the second time. But the experience would be quite different if you had had that foreknowledge from a synopsis.

This is Shaw's fourth novel; still he is probably better known in this country as actor than writer. He has been seen in the Broadway productions of Dürrenmatt's *The Physicists* and Pinter's *The Caretaker;* also in the film of the latter which was called *The Guest* (he played the lobotomized brother), and in other films including *From Russia with Love* (the close-cropped blond killer), *The Luck of Ginger Coffey* (Ginger), and the current *A Man for All Seasons* (Henry VIII).

His extraordinary talent as an actor is enough to put off a discerning reader. How many good actors have written good novels? The vocations – one of them basically private, the other basically exhibitory – seem antipathetic. Actors have written serviceable or good or even great plays; that seems logical enough. Many actors have published novels – often good actors and bad novels. (Peter Ustinov and Yvonne Mitchell come to mind.) There is at least one fine novelist who in early life was on the stage – Colette. But I can think of no good practising professional actor, other than Shaw, who has written good novels.

This is a dramatic novel, yet it is not flashily theatrical. All that can safely be said of the story is that the protagonist is a very, very rich old German-Jewish refugee in New York, that the scene later shifts to Israel, and that the Eichmann trial – which, in the book, is already past – was Shaw's stimulus. (The title refers to a bullet-proof booth similar to the one in which Eichmann was kept during his trial.) The novel is not realistic, by the simple test of whether it could possibly happen. Neither is it fantastic. It is an arrangement of life-scale possibilities – in action and psychology – to form a moving allegorical whole.

The theme of the book is the preeminent moral question of the century: What has happened to evil? There are references to Hannah Arendt and her "excellent observations concerning the Clerk [Eichmann]." It would be a diminution of Miss Arendt and a disservice to Shaw to say that his novel dramatizes the moral questions in *Eichmann in Jerusalem,* but he certainly tries to electrify in action various moral questions with which she dealt. Some of them (I am not summarizing Miss Arendt or Shaw but noting what Shaw stimulates in the reader) are the following: Can evil still be defined? In an age of increasing self-knowledge, which, as Yeats told us, rules out forgiveness, in an age when we know how antecedents and accidents of geography and time affect our actions, how can evil be abstracted as a definable quality? How, in fact, can it be attributed to others, exonerating ourselves? Because some evil acts are so much more enormous than others, does that make the smaller acts intrinsically less evil? In an age when the *acte gratuit* has achieved a certain philosophical grandeur, how incensed can we become at police dogs in Alabama and napalm in Vietnam? What is the status of sin? Is there still vitality in the idea of expiation? At a time when the "death of God" is chiefly an issue for clergymen trying to preserve their professions, can the concepts of sin and expiation survive? If not, in the future will everything be "good" or will everything be "evil"?

Concrete issues, raised by perennial causes, sometimes make new theories, however brilliant, seem merely theoretical. At such times traditional humanist values tend to prevail. Is this regrettable?

Shaw, of course, does not answer any of these questions nor plumb them deeply. But with precise slashing strokes he bares the nerves that make them tingle. His juxtapositions of incident are pungent without strain, ironic without self-relish.

Characterization is not an aim of this book. There is only one characterization of any consequence – the central man – and he is as allegorical as the novel itself. Still the book resonates with realities. We become aware quickly that it is the work of a percipient, austerely selective intelligence. This intelligence is first conveyed by the style, which has the effect of a fusillade of wry, pithy telegrams interspersed with efflorescent arias. (But Shaw's ear for American speech is not flawless. One example among several: an American would say "covered with sweat," never "covered in sweat").

It seems relevant to mention that Shaw has already made a play of this book for production next season by the Royal Shakespeare Company of London. It will be directed by Harold Pinter, whose own play *The Homecoming,* a searing macabre comedy of subterranean sex hatreds and fears, is currently being performed in New York by that company. Pinter's interest in this Shaw work, I would guess, is related to its astringency of form and its savage humor.

Shaw is a serious novelist who believes seriously in twisty plots. (I have read one of his previous books, *The Hiding Place,* which is an intelligent and mordant entertainment.) It is probably impossible to write a major novel out of that belief, but it is certainly possible to make good and relevant art. Shaw slips this cleverly wrought novel into us like a curved razor-sharp knife between the ribs: right up to the hilt.

* *The Man in the Glass Booth* by Robert Shaw (Harcourt, Brace & World; $4.50).

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A Stranger in Mississippi

by Elizabeth Sutherland

On publication day of this first book by Tracy Sugarman, the artist, his publisher gave a small cocktail party at which the guests included members of various civil rights organizations such as Floyd McKissick of CORE; Cleve Sellers, SNCC Program Secretary and staff members from SNCC's office in New York. The party ran well beyond its scheduled closing time, and finally only the "black power" contingent and a few whites were left. People began to sing freedom songs and it struck me that it had been a long time since I had been anywhere that black and white were singing those songs together. They sounded like something from an ancient era.

Stranger at the Gates:
A Summer in Mississippi
by Tracy Sugarman
(Hill and Wang; $5.75)

Stranger at the Gates is a book of words and drawings about a high point of that era – the 1964 Mississippi Summer Project – with a reprise at the end based on the author's trip back to Mississippi in 1965. He went as a graphic artist on assignment, not a college-age volunteer. Because he had a car of his own, he got around to different projects and acquired a broader view than most Northerners in the state that summer. But, as he makes clear, he was far from an objective observer; his heart was with the project and his reason for going was basically the same as that of the volunteers – to bear witness, to help.

He was moved by the generosity and courage of his Negro hosts, appalled by white violence, in much the same way as the volunteers. This combination of experiences was nowhere more potent than in the Delta, where Sugarman spent most of his time: that poorest and blackest area of the state which has produced both Senator James Eastland and Mrs. Fannie Lou Hamer – plantation oppression at its worst and movement people at their strongest.

His book covers the emotional ordeal of the orientation period in Ohio; getting settled in a Negro home in Mississippi; the taste of a mass meeting; taking people to register; getting kids out of jail; confronting the cops; talking with workers about their hopes and fears; coping with petty frustrations. Tracy Sugarman writes with his eyes; his narrative is full of skies and colors and details of the human face. The style of the drawings themselves – there are about 70 of them illustrating the text – is very much the same as that of his text: casual, lovingly detailed, marvelous in capturing an atmosphere or landscape. The heart of him seems to have been there.

That is what the summer did for many a white volunteer also, despite the fear, discomfort, and what psychiatrists called "cultural shock." It opened the eyes of young middle-class whites to some of the physical prisons which exist for people outside that class and – more important – to new ways of being free. They saw, among black Mississippians in the movement, people who were living in a way which directly expressed their feelings about what life and society should be. To be around the movement in Mississippi that year was to breathe authenticity. The love and human strength which they found in the Southern rural black community, built as it is on endurance, added another dimension. The movement of the early '60's has very likely been the first time since the Spanish Civil War when the imagination of a significant number of American citizens was thus seized and an opportunity made available to live one's ideals with a minimum of compromise and a maximum of commitment. This is why one of the volunteers in Tracy Sugarman's book can say:

> "Just who is contributing to whom is the question. . . . Being here has given me such new ideas to consider! New ways of thinking, of listening, of letting other people talk – letting ideas come forth. . . . Am I down here so much for my own sake that it's wrong?"

In her foreword to this book, Mrs. Fannie Lou Hamer says that the Summer Project was "the beginning of a New Kingdom right here on earth," and those who came down from the North were "like the Good Samaritan." Many of the volunteers, it seems, went down with this concept of themselves and were often received that way, which didn't help them to function as mobilizers rather than leaders. Some were sensitive enough to be painfully embarrassed when their hosts kept saying, "you all are so wonderful to leave your comfortable homes up North to help us." Others were not so sensitive, and it is Mrs. Hamer again who explodes one day with concern about the conduct of the white female volunteers:

> "They get down here and nobody's settin' their house on fire, so they act like they're visitin' their boyfriends on college weekend! . . . They sit out under the trees playin' cards with the Negro boys. . . . You know what can happen. If some whites laid hands on one of those young girls, every Negro man in Ruleville would be in trouble. That kind of trouble kills people in Mississippi."

Nor was this the only aspect of local sensitivities to which the volunteers seemed indifferent.

Others joined the movement because it was a chance to wear beat-up clothes and tell off Daddy or Mom, while feeling noble (and also while knowing that good clothes were still hanging in the closet). For some, the love they found in the black community was a great relief; here were Negroes who didn't seem to hate "whitey." All these fac-

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tors helped to create a species called "movement tourists": kids (and adults) who floated from project to project, from one march to another, anything to stay in that heady climate. The mixture of motives was complex and had many variations, but there was one constant in the relationship: on the whole, Negroes remained objects to the whites, and whites remained objects to the Negroes. For the white, the Negro was primarily an object to romanticize; an exotic human landscape in which the visitor suspended his usual judgment. Tracy Sugarman shows his awareness of this danger when he writes:

> "For the first time, I began to see the people. Not victims, I thought. Not causes. Not heroes . . . people."

Most whites in the movement had more education, skills and basic self-acceptance than the people with whom they worked. They knew more political science and they could write a better press release. For a black project director, they presented a dilemma: he might want to get a certain job done quickly (such as having a flyer stenciled), the white worker could do it faster, but his basic goal was to involve the black community – which meant having black people do things. On another level, local Negro leaders would use white volunteers to get what they wanted from other Negroes. If the leader wanted someone to go register or come to a mass meeting, he knew that person would be more likely to do so if a white asked – because of the centuries of authority attached to his skin color. In Sugarman's book, Perry Hamer of Ruleville, Mississippi (whose wife is Fannie Lou), is asked by the mayor how he feels about having white men sleeping in his house. Mr. Hamer replies: "I feel like a man. Because they treat me like a man."

It was difficult for a white in any position of authority in the movement not to apply a double standard out of his desire to compensate for the crimes of his own society and out of his own need to be loved. He was likely to be reluctant to deny a black worker what he would never grant a white worker under the same circumstances. To put it bluntly, he simply could not say – as

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a black person could – "stop jiving, nigger." If he did try to avoid the double standard and denied the request, he could count on being reminded of his whiteness in four-letter words – or simply being isolated. Black people, in turn, played on the white sense of guilt; this was particularly true in relations between Negro men and white women. Genuine love existed, but there were also spurious or confused forms of generosity.

There was also a hierarchy of status in the movement, which put whites and office workers at the bottom and Southern Negro field workers at the top. As a result, one could see in social situations and at staff meetings how a white worker might avoid sitting with other whites and seek out the blacks. Reversing the mainstream society's pattern, the white's aim was to be accepted by the special black society of the movement. Some pushed this very far, adopting the speech and dress and other mannerisms of black workers in a weird parallel of Negroes who try to push up into the white middle class by being as white as possible. (Dr. Alvin Poussaint, a Negro psychiatrist at Tufts, has written extensively on these identity problems and other aspects of stress in the white civil rights worker.) The role played by guilt, the question of whether whites joined the movement basically to help themselves – these matters can be argued for hours and perhaps never resolved. The important thing, I think, is not to look at problems of black-white relations primarily in terms of "good" or "bad" motivation but as the product of a racist society; to recognize that and then proceed, as humanistically, as honestly as possible. I find it difficult to believe a white man who says, "I don't see color, people are people," just as it is difficult to believe a black person in the movement who says, "I have no hangups about whites." Neither can be true. But this realization should be a starting point from which one moves to change the society.

The most interesting and unusual parts of Tracy Sugarman's book describe his three visits with white Mississippians in their homes. Almost none of the volunteers had such contact during that summer or in any

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other period. The way opened for the author partly because he was older, not classifiable as a "beatnik," and willing to try and change their minds; partly because he was independent of the project security which generally discouraged or prohibited workers from going into the white community; partly because of a chance meeting at a gas station in which he caught the fancy of a spiky little Southern housewife. The polite, tense discussions which followed in Allison Cutler's home are classics: the rational, urbane Northerner trying to answer with facts and figures the emotional arguments set forth by his hosts. "You can't know – it's so hard," she says. "I can't stand their touching me, shoving against me. What can I do?" These passages have a complexity of drama found nowhere else in the book: the sickness preserved in the image of white Southern womanhood and the confused efforts of women like Allison Cutler to free themselves from that image; the alternating pathos and brutality of their attitude; the hints of the kind of relation which exists between Allison Cutler and her husband. There is a non-romanticizing immediacy here, as the author becomes a protagonist.

When the author goes to the home of a friend of the Cutlers, a sophisticated representative of the "New South," they are served lunch by a Movement woman he knows in another context. "Olivia moved happily back and forth from the kitchen, treating me with the deference paid an honored guest. I felt, somehow, a guilty sense of betrayal. . . . For the first time in Mississippi I felt disoriented as I moved from one world to another." Tracy Sugarman could not sit in ease and equality with a fellow white who represented the enemy while his black friend served them. He had a passport – the color of his skin – which she lacked and which he therefore did not want. Such feelings are one reason why many white civil rights workers find it difficult or are reluctant to work in the white community.

During the summer of '64 or at a later point, however, some of them became concerned that the identity they had come to feel was essentially vicarious. Some were troubled by the issue of how they, as products of the middle class and moving on levels of political consciousness or idealism, should function in a movement geared to the poor. Sometimes the cultural gap was simply too great. On a personal level, the question then became: how can I live authentically?

They also recognized that a sense of identity cannot rest on a certain experience in time and space; it is not a "moment of truth" which occurs at some point – usually in youth – with the rest of life becoming a nostalgia for that moment. It has to be built on oneself and that self must be constantly rediscovered, redefined. The spirit of self-discovery moves through Tracy Sugarman's book, not analytically but by inference. He does not deal with the questions I have raised here; they, like many others, have yet to be explored in the public literature of the movement. A great novel remains to be written about the human side of this phenomenon – about the conflicts within the Negro community between young and old, poor and better-off, religious and non-religious; about the relationships of black Southern women and men; about what happens to a community when federal money comes in – a hundred dramas are waiting. Tracy Sugarman has suggested the wealth out there, in a pattern of anecdotes about and conversations with workers as well as "local people." He observes, then conveys with delicate sharpness.

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Light on Our Light Bills

by Peter Millones

That small word so cherished by 6-year-olds – "why" – may have to return to the lips of the average American if he is ever to understand his electric bill. For it has taken many years of ingenious tinkering and careful planning by the utility industry to reach a point where all but a few of its customers are baffled by why the Illinois Power Company charges $13.51 for 500-kilowatt-hours of electric service; Springfield Water, Light and Power, $7.70 for the same amount; and Seattle City Light, $5.00.

Overcharge
by Lee Metcalf and Vic Reinemer
(McKay; $5.95)

There are a score of reasons, but they are all a part of the manipulative world of the utility accountant, whose voluminous and adroitly obscure figures, figures and more figures would be a challenge to the Wizard of Oz. Out of the maze of statistics periodically comes "documentation" for an electric rate increase.

This produces cries of "robbery" from local politicians and statements from utility public relations men that the average household will pay 37½ cents more a month, and who can't afford that in affluent America. (It's the other guy who lives in the average household.)

Senator Lee Metcalf, Montana Democrat, and his assistant, Vic Reinemer, a former newspaperman, don't think that most Americans should pay the

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Nancy and John Seletti aren't trying to save the world. Just a little piece of it.

About a mile outside the Korean village of Ku Am there are a few dozen young, still-tender mulberry trees growing on a small hill. Someday these trees and their succulent leaves will be the heart of a new village industry—a silk raising farm. That day is still many months off, but it doesn't stop the village men from making daily inspection treks up the steep hill, just in case. Just in case something miraculous has happened since yesterday. After all, it wouldn't be the first miracle to happen in Ku Am. Everyone in the village knows the story of Chang Sook, the daughter of the widow.

Ten years ago Chang Sook's chances of survival were as slim as the was. Her father had disappeared during the family's flight from North Korea. Her mother, a seamstress, worked a backbreaking day and most of the evening to earn 10 a month. Barely enough to keep them from starving.

But today that's all changed because an American couple named Seletti are sharing a little of their good fortune with a girl to whom a little means everything. Nancy, John and five-year-old Alexandra Seletti are New Yorkers. They're not fabulously wealthy as the villagers of Ku Am believe. But, they're not poor either. *Comfortable* probably describes them best. They have everything they really need, but give them ten minutes and they'll come up with ten things they want that $15 a month would buy. Luckily, they thought of Chang Sook first.

Through Save the Children Federation, the Seletti's $15 a month is doing a remarkable number of things. First, Chang Sook's immediate needs and future schooling are being taken care of. The family is getting help, too: Enough to enable Chang Sook's mother to start a small knit shop.

And with all this, there is still some money left over. This money, together with money from other sponsors, was borrowed by the village to start its precious mulberry farm. Someday silk raising will mean a permanent increase in the village's income—and permanently end the need for charity. That's what Save the Children Federation is all about. Although contributions are tax-deductible, it is not a charity. The aim is not merely to buy one child a warm coat, a new pair of shoes and a six month supply of vitamin pills. Instead, your contribution is used to give the child, the family and the village a little boost that may be all they need to start helping themselves.

Sponsors are desperately needed for children in Korea, Vietnam, Latin America, Africa and Greece. You can select the child's nationality. You will receive a photo of the child, regular reports on his progress and, if you wish, a chance to correspond.

Chang Sook writes to the Selettis. She also sends small homemade gifts to Alexandra. And she tells them of her dreams of becoming a nurse. She'll probably make it. If she does, the Seletti's investment in one girl will be repaid a thousand-fold.

The Selettis know they can't save the whole world for $15 a month. Just a small corner of it. But, maybe that is the way to save the world. If there are enough people like the Selettis. How about you?

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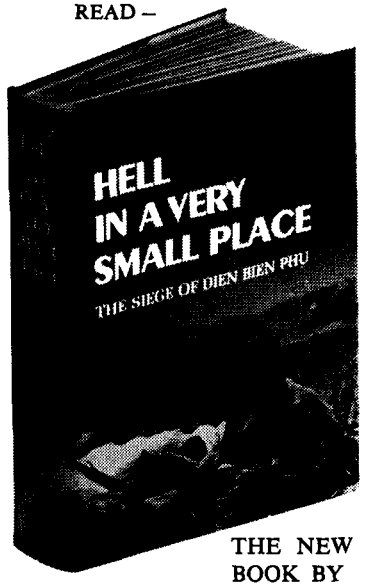

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electric rates they are paying. They feel that consumers are being overcharged and will probably continue to get bilked to the advantage of the utility stockholders unless they start using their consumer pressure.

They are not suggesting in their book *Overcharge*, as has one New York group, that residents periodically eat sandwiches by candlelight to penalize Consolidated Edison for its contributions to air pollution. Nor are the authors very optimistic about consumer efforts to bring electric rates down. But the book offers the average person, in readable, journalistic style, a good opportunity to understand how the $70-billion electric power industry calculates its rates which add up to a $14-billion-a-year bill for Americans.

In describing the different kinds of utilities – the 480 investor-owned utilities from which most persons buy their power, the publicly-owned local systems which serve 13.5 percent of consumers, and the privately-owned rural electric cooperatives which serve 7.5 percent – the authors say that the "consistency as well as the proportion of investor-owned utility profits sets the investor-owned, government-protected utilities far above the free-enterprise businesses that battle for profit and survival."

In 1965, they tell us, "all but one of the 34 biggest electric utilities had a higher return on invested capital than A.T. and T." The utility industry is painted as generally making bountiful profits; it has the prospect of selling even more electricity in coming years and, at the same time, "is a classic example of an industry in which mass production and distribution are decreasing the cost per unit. . . . Is the American public going to realize that prospective saving of tens of billions of dollars, amounting to $11 billion annually by 1980?" the authors ask. "At this point the answer is no – unless drastic reductions are made in electric rates charged."

One sentence tucked into a long paragraph explains why no one can expect "drastic reductions." The investor-owned utilities "are primarily interested in the greatest possible profit for the management and the stockholders." And since most of the utilities are virtual monopolies, the only countervailing force is the regulatory commission, which, the authors point out, usually does not have the staff, the money or sometimes the will to be a true watchdog.

All rate controversies involve three basic items – the rate base (mainly the value of plant and equipment less depreciation); operating expenses (maintenance, wages, salaries, public relations, advertising, legal fees, etc.), and the rate of return (profit). Any changes in these major items can produce a corresponding change in the others. When operating expenses go up, profits generally go down. This is why groups opposed to rate increases want to see how much companies spend for public relations or advertising or legal fees or political lobbying, and whether the costs were charged to operating expenses, which means the consumer, or to income, which means the stockholder.

Since the companies are interested in maximizing profits, it is quite clear where most expenses end up. The financial records are governed by the Uniform System of Accounts, which prescribes certain procedures, but often it is a question of whether regulatory officials ask "why" when they see advertising costs charged to customers that might more reasonably be applied to stockholders. The amounts charged are also supposed to be just and reasonable, and that leaves wide discretion to accountants and watchdogs.

The authors note that among the expenses charged to operating expenses by some utilities are contributions to charitable organizations. Thus, the "customer gives to the charity of their, not his, choice." And "unfortunately, state commissioners that seek to exclude questionable donations or other expenses in rate making are hampered by lack of details furnished voluntarily by the utilities."

I would have preferred more detail about the regulatory agencies in the states. The comments on the importance of commission accountants and commissioners are sound and there is a clear recognition of the regulator's role, but a fuller and more specific explanation might have made it clearer that it is through pressure on the commissions that consumers probably have their best means of controlling utility rates.

Considerable space is devoted to the

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utilities' financial contributions to what the authors call extremist and right-wing groups, and how the utilities equate themselves with Americanism and their opponents to un-Americanism. While the descriptions are interesting, they tend to detract attention from the real issue – which is how to regulate the utility industry in the public interest. The problem with discussing the industry's right-wing affiliations is that it may make the entire controversy seem to some to be one of liberals versus conservatives, and that would be too bad. One doesn't have to be a political anything not to want to pay for something he does not get.

Daftness Falls from the Air

by Lawrence Graver

William Trevor is one of the most accomplished of those recent British writers who see life as a "farce in a vale of tears." His second novel, *The Old Boys* (1964), records the comic shocks among eight former schoolmates, now past 70, who govern The Old Boys Association. Having long coveted the chairmanship, Mr. Jaraby painstakingly organizes his support, but is opposed by the guileful Nox whom he had persecuted at The School half a century earlier. In his private life, Jaraby worships a ravenous one-eyed cat, ruins his son, and engages in a ludicrous dehumanizing battle of wills with his wife. Their exchanges, marked by his self-deluding intransigence and her bitter lucidity, are gruesome and very funny. At the close, Jaraby loses the election and stands listening to his wife's elegantly phrased, venomous invitation: "Come now, how shall we prove we are not dead?"

The Love Department
by William Trevor
(Viking; $5.50)

The originality of *The Old Boys* is tonal. Based on the paradox that old people, instead of losing their grasp, become childlike but desperately knowledgeable about those things which matter – power, hatred, loneliness, the failure of love – it registers sharp impressions through fastidious understatement: "Mrs. Jaraby was a thin, angular woman, very tall and of a faded prettiness. She possessed no philosophy of life and considered her use in the world to be slight. She had grown sharp through living 40 years with her husband. With another man, she often thought, she might have run to fat."

There is no fat on *The Old Boys*. A series of taut scenes characterize the nine ancients and advance the two main lines of action (Jaraby's domestic misfortunes and Nox's public subversions). Within its carefully articulated limits, Trevor's novel is a morbid comedy of manners, gaiety mixed with dread in exact proportions. Then, too, it may well be the last word in the argument about English public schools running from *Nicholas Nickleby* past Evelyn Waugh. Between his teens when he had power and his seventies when he craves it, nothing at all has happened to Jaraby, and Trevor's silence about the vacuum is conclusively eloquent.

Similar originality is evident in *The Boarding House* (1965). The owner, William Wagner Bird, dies gradually from the feet up on the second page of the novel and leaves his property to two lodgers, Mr. Studdy and Nurse Clock. Before the legacy, their hatred for each other "was almost a feat, like a piece of engineering: a great bridge, their only source of communication." Now, however, the bitterness subsides "because something stronger, something like self-interest or greed or small ambition had put it into its proper place." With minds obsessed by plans for profit, Studdy and Nurse Clock begin to cast out the lonely people Mr. Bird had so carefully brought together. As the story unfolds, Bird emerges as a mysterious, slightly sinister divinity, who had collected these solitaries so he might study the symptoms of their isolation and perhaps

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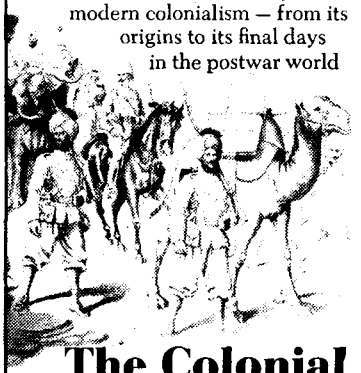

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"kindle some comfort in their hearts." One of Trevor's most effective narrative devices is to quote occasionally from Bird's cryptic journal, "Notes on Residents," to provide a detached ironical view of the action. The boarding house becomes a mock Hotel Universe, and Bird's chosen people "oblivious of everything except what separately occupied their minds." Yet despite their eccentric solipsism, the boarders are all tender to pain and to the terror just beneath the surface of their lives. Rose Cave, so timid that she is determined "to be fond of a world that has given her nothing," cries out in her sleep. Tome Obd, a dismal, deracinated Nigerian, writes a thousand love letters to Miss Annabel Tonks, but gets nowhere because she cannot decipher his writing. Miss Clerricot reddens when flustered and "raises a hand to cover a portion of her countenance." Bird notes: "It is a shame, this ill-feeling that exists between Miss Clerricot and her face."

As in *The Old Boys*, Trevor skillfully catches the wayward humor in undisguised forms of egoism and vulnerability. The boarding house becomes, in the words of one of his admirers, "Castle Heartrent," and the inhabitants are memorable studies in the comic grotesque. Despite the large cast of freakish characters, each of the earlier novels is unified by the imaginative fitness of its central idea. The people in *The Old Boys* replay, at 70, the conflicts which joined them in early adolescence. In *The Boarding House*, the misfits have their place in Bird's peculiar design, and their complex interrelationships amplify his intentions and Trevor's theme.

Unfortunately, *The Love Department* is weakened by a controlling idea of limited force which fails to unite the novel's disparate elements. Artless, young Edward Blakeston-Smith comes to London after a brief stay at the monastery of St. Gregory where he had sought relief from the galloping vulgarities of modern life. Employed by Lady Dolores, spiritual guide of luckless wives for a glossy magazine, he is sent out to uncover the philanderer, Septimus Tuam, whose name appears with unsettling frequency in the theatrical confessions of Lady Dolores' correspondents. Bumbling through a series of farcical encounters with Tuam's victims, Edward unwittingly destroys the villain and his own peace of mind. Unable to cope with the fragility of secular love, he retires to St. Gregory's to become the patron saint of middle-aged wives.

The fool's progress is a comic exemplum. Marriage, which used to be a sacrament, is in the care of a large-circulation magazine, and of its Lady Dolores, Mary of the Sorrows. Responses to love are conditioned not by genuine fears and desires, but by the meretricious images of contemporary advertising; and Edward, who once studied history, is now terrified by the Goths and the Visigoths staring out from the billboards of Britain. The best comedy in *The Love Department* arises from Trevor's ability to show people manufacturing "the future they wish to know," and then having that counterfeit vision spoiled by reality. At a moment of crisis, each character responds with a richly romantic image of his own dilemma. James Bolsover, failure in business and a cuckold, has a seedy, self-pitying vision of his fall from corporate grace; but ends cultivating a market garden. His wife, dazzled by visions of exotic places, is seduced by Tuam after he thoughtfully offers to do the dishes. Owing his very existence to the fantasies of women, Septimus himself is interrupted in his love-making by thoughts of Creeko menaced by redskins in a current serial.

Although this device produces some ingenious fantasy, it is neither fresh nor suggestive enough to sustain an entire novel. Much of the action in *The Love Department* is a variation rather than a development of the basic idea, and the fantasy – rarely bold enough to work on a surrealistic level – degenerates into whimsy. The vulgarity of contemporary conceptions of love and marriage is a time-honored theme for a novelist, but Trevor fails to get very far with it. Instead of probing

NOTES ON CONTRIBUTORS

Elizabeth Sutherland *is an officer of SNCC in New York.* Peter Millones *is a reporter for* The New York Times. Lawrence Graver *is on the English faculty of Williams College.*

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the characters of Edward and the Bolsovers, or the meaning of their choices, he spends untold time with daft barflies and vindictive charwomen, vagrant residents of *The Boarding House*. Since many of the most promising moments in *The Love Department* are short-circuited, often dropped in the pursuit of anything mildly odd, the novel is at bottom evasive. Trevor throughout has been so poised, so careful to refine the dryness of the farce and to screen the characters from complex emotions, that he seems finally to be toying with the large subjects on which the book so obviously rests. In the earlier novels, the fastidious style matched the modesty of the subject matter; now the crowded canvas and the tools of the miniaturist are incompatible.

Correspondence

Arms and the Soviet Union

Sirs:

I would like to comment on Victor Zorza's article "Arms and the Soviet Union" (January 14, 1967). While I agree with Mr. Zorza that the United States should assure the Soviets that it is ready to accept a balance of arms, and that American politicians must understand the hawk-like pressures on their Soviet counterparts, I question his assessment of the present political configuration in the Soviet Union. In particular, I question whether, in fact, the evidence does suggest the ascendancy of the "metaleaters" and their military cohorts.

For example, Zorza refers to a "massive increase" in the Soviet defense budget announced in December (*Pravda*, December 16, 1966). In fact, the increase in "defense" spending of Soviet military expenditures came to 1.1 billion rubles, or 8.2 percent above the 1960 figure. In the machine-building sector, the repository of the so-called "hidden" defense funds, the increase was only 9.5 percent. Compared to the American increase of $10 billion the Soviet increase does not appear "massive."

In regard to steel production, Mr. Zorza correctly points out that the Soviets announced a 21 percent increase in capital investment in the steel industry for 1967, but he neglects to mention that the projected output of steel for 1967 is still only 102.1 million tons, or 5.3 percent above the 1966 figure; and that this has been almost precisely the average annual increase in steel production since 1960 (*Vestnik Statistiki*, no. 10, October, 1966, p. 94). The increased capital investment, then, may have been needed to overcome the "strain" in steel production to which Gosplan chairman Baibakov (and Mr. Zorza) referred.

More important, however, is the fact that a Soviet commitment to an effective anti-ballistic missile system would require a massive reorganization of the economy and, in particular, the scrapping of the recent economic reforms which have been given the full support of the Soviet leadership. Politically, such a reversal would be extraordinarily difficult. The present leadership, which was able to oust Krushchev precisely because of the recklessness of his economic reorganizations which threatened the very stability of the Soviet system, could scarcely turn around with impunity and discard its own policy of economic "rationalization" within months of its announced successes. The reaction within the party and state apparatuses, among plant managers, and among those intellectuals who have been pushing for the Liberman reforms would undoubtedly be heated and negative.

This is not to suggest that the "military faction" within the Soviet leadership is not to be feared, nor that the United States need not assure the Soviets of its interests in slowing down the arms race. Rather, it is a plea that we should not provide political ammunition for our own hawks by overstating the degree of military influence within the Soviet ruling circles.

Robert Abrams,
Brooklyn College

Sonic Booms

Sirs:

It may well be that "de gustibus non disputandum est", but the government is soon going to have to decide whether sonic booms are so distaste-

By **JEROME AGEL**, *editor-publisher*

Hi. Our name is "BOOKS" the lively monthly newspaper for the very lively reader. Every issue is an unpredictable experience. (We can hardly wait to see next month's ourself.) We report what's happening, who's happening, overground, underground—long before anyone else, usually: Robert Downey, Chafed Elbows. Jacques Ellul, brick-thrower. Eric McLuhan, son of. Tyler Bootman, poet. Michael Horowitz, who grew up pushing the best toy cars on linoleums of love. Professor Herbert Marcuse, the most beautiful man in America. Sam Gross, funny, very funny. Paul Williams, crawdaddy. (Did Johnson really know Boswell was making notes?) Write all the lovely people: "BOOKS is really tuned in. You're the funniest, tippiest, most provocative thing I've ever read." "I swallow you, BOOKS." "I think of you as my brunch coat." "Like a great night at the theatre or movies." "I steal from you all the time." Plus plus plus. Scoop scoop scoop. There *is* something new under the fun sun: Us—BOOKS. If you want to be included, send us the coupon today. *See*—for yourself.

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ful to a large segment of the population that the SST will have to be abandoned, or at least restricted to non-supersonic speeds when flying over populated areas.

My home is in the Pacific Northwest. Several interceptor bases in that region are sending F-102's and F-106's over my house, at supersonic speeds, several times a day. I would say that two to four sonic booms per day is typical. The noise is certainly loud and sudden, but no one I know is jumping out of his skin. The sonic boom has the virtue of being over quickly, as contrasted to the noise of a large motorcycle, say, which I personally find much more annoying. As far as I am aware there has been no damage to property caused by these booms in my home town.

If the SST, operating very high, as it will, isn't any noisier than today's Air Force interceptors I'll be glad to put up with it in return for a chance to get home quickly at vacation time, or to get to Europe and arrive with muscles uncramped and eyes not stinging.

Stephen J. Merlan
New Haven, Conn.

Automobile Insurance

Sirs:

Your articles by James Ridgeway on automobile insurance were most informative and penetrating. But, for me, they were of more than passing interest since, during the summer of 1965, I was employed in a firm which conducted investigations for insurance underwriters. This firm, the Hooper-Holmes Bureau, Inc., acted as a double check on the agents of the underwriters by investigating the driving and personal characteristics and circumstances of policy holders.

While I make no charge that the firm for which I worked discriminated, a strange practice which it apparently did undertake came to my attention during my first day on the job. I was being trained by another investigator, and he mentioned to me that although it was illegal under New York law to include references to race on any insurance forms, some of the underwriters (I didn't, and don't, know which ones) had devised a "code" which should be used to indicate the race of a policy holder. This code worked as follows: If the policy holder was a Negro who lived in an all-Negro neighborhood, this neighborhood was to be described as a "slum," whether or not it was a slum. If he was a Negro who lived in a mixed neighborhood, it was to be described as "blighted" (and, presumably, this would apply even if he were a member of the upper-middle class and lived in a nice suburban section). Naturally, white "slums" had to be described in another manner – I guessed that perhaps the appellation "deteriorated" might suffice.

I immediately made known my intention never to be a party to such a scheme; since the man who told me about it was not officially my superior, I expected to hear from the boss. However, I did not. I cannot say whether or not it was decided that the "losses" which might result from my refusal to participate would not, over one summer, be enough to warrant a scene; but it did seem to be more than just a coincidence that my assigned duties rarely took me into even possibly Negro neighborhoods.

This company (which has but one major competitor in this business of "weeding out" non-preferential policy holders) conducted another disturbing practice, although this one was not race-oriented. This involved the use of what are known as "Special Features" in the trade. Whenever we investigators discovered one of what were considered to be adverse factors (and these ran the gamut from prior accidents, speeding tickets, or poor driving habits to bad personal reputations, divorces, or "bad" neighborhoods), we were supposed to include a "Special Feature" on this factor in the report we sent to the underwriter. This practice, perhaps defensible *per se*, was compounded by the fact that we were, informally, on a "quota system." By this I mean that our efficiency was rated, at least in part, by the number of "Special Features" we were able to uncover. The result was to pressure my fellow investigators (I also balked at this) to place undue emphasis on what were often insignificant factors in the lives of the policy holders. And, I was told, a "Special Feature" usually meant that the policy would be canceled.

George D. Randels
Buffalo, N. Y.

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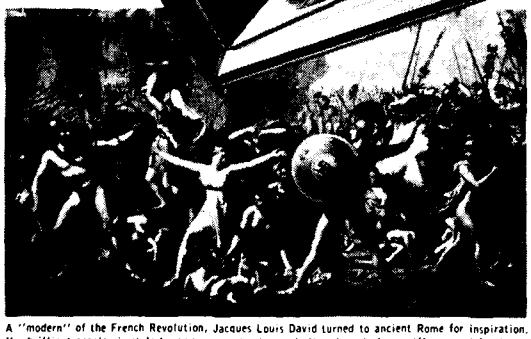

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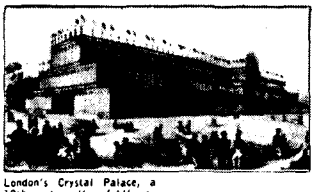
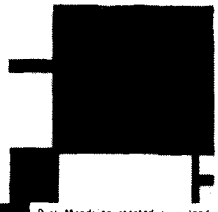


London's Crystal Palace, a 19th century "pre-fab" was modelled after glass greenhouses. Its designer was a landscape gardener named William Paxton.



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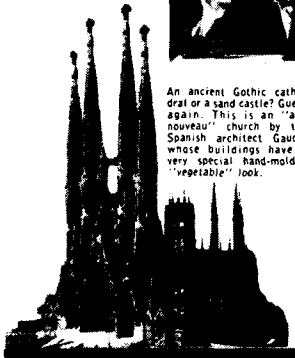

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